

NOMINATIONS

WEDNESDAY, APRIL 28, 2021

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

The committee met, pursuant to notice, at 10:00 a.m. in Room SD-106, Dirksen Senate Office Building, Hon. Bob Menendez, chairman of the committee, presiding.

Present: Senators Menendez [presiding], Cardin, Markey, Schatz, Van Hollen, Risch, 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.

Ambassador Jenkins, former Secretary Fernandez, congratulations on your nominations and my thanks for your willingness to return to the State Department with your demonstrated experience, strength, and commitment to advancing our national interests.

I have spoken often of the pivotal foreign policy challenges facing our country and the State Department, and this hearing will be no different. If confirmed, both of you will confront serious issues and challenges and a department in need of repair and rebuilding.

I am heartened by the Biden administration's emphasis on nominating knowledgeable and seasoned leaders with rich foreign policy experience.

Ambassador Jenkins, the Under Secretary for Arms Control and International Security is one of the most vital senior positions in the Department of State. Its portfolio ranges from nuclear weapons to terrorism and from nonproliferation to landmines. It requires orchestrating global cooperation with both allies and adversaries on critical issues.

As you and I have discussed, I have long been concerned over the way that the Department of Defense has assumed the security assistance mission that should be the exclusive purview of the State Department and the Secretary of State.

I greatly respect the service of the men and women in our armed forces and particularly your own 20 years of naval service. But the person delivering assistance to officials of a foreign government should not be wearing a uniform. They should, instead, have the authority to advance and promote a comprehensive foreign policy vision consistent with our core values.

We also discussed the need for the State Department to respect this committee's crucial statutory oversight role over the arms sales process, including when the laws and regulations governing those sales may have been violated.

This relationship was poisoned by the last administration. Thus far, the relationship has been much improved, but more work is necessary to create an effective partnership.

Make no mistake. One way or another, this committee will conduct effective oversight, and I hope and expect that we can depend on your cooperation.

Finally, we stand at a crossroads in our nuclear relationship with Russia and China. We have extended the New START Treaty with Russia for five years. The question is now where do we go from here.

Do we seek deeper reductions in Russian strategic forces? Should we focus on shorter-range nonstrategic nuclear weapons not covered by New START?

Should we focus on engaging China which, although its force structure remains smaller than the United States or Russia, is rapidly modernizing and expanding its nuclear forces?

So I look forward to hearing your thoughts on those matters today.

Mr. Fernandez, if confirmed, I expect that your previous experience as Assistant Secretary for Economics, Energy, and Business Growth will serve you well. This is vitally important because the last four years have been especially difficult for the bureaus that you have been nominated to lead.

They suffered from neglect, a loss of an institutional experience, and an undervaluing of diplomacy at the highest levels. The former administration never even bothered to nominate an Assistant Secretary for the Bureau of Oceans and International Environmental and Scientific Affairs.

Given the sad state of affairs, your first priority, I believe, has to be rebuild the E Bureaus, restore morale, and provide clear leadership. This is especially important because President Biden has elevated the mission of the E Bureau by prioritizing climate change as a foreign policy imperative.

Energy, the environment, economic growth, leadership in all of these arenas is necessary to restore U.S. leadership and successfully combat the climate crisis.

If confirmed, you will also head the economic diplomacy wing at the State Department. I am interested in hearing about your views on building back better America's economic statecraft toolkit.

Economic diplomacy is an absolutely critical domain for competition in the 21st century, and there are many questions to be answered about a strategy for the post-COVID reconstruction of the global economy, as well as how to help poor countries administer vaccines and build resilience to the economic strains brought by the pandemic.

I am particularly interested in your views on Secretary Yellen's proposed \$650 billion in special drawing rights and how it promotes global economic stability and growth, and I would like to understand how you plan to engage on economic sanctions both within the department and in the interagency process.

So, Ambassador Jenkins and Mr. Fernandez, both of you face steep challenges ahead, but I have no doubt that you are up to the task.

And with that, we look forward to your testimony and turn to the distinguished ranking member for his opening remarks.

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

Senator RISCH. Thank you, Mr. Chairman.

The two nominations before us today are important and, indeed, really critical to our nation's foreign policy. I would first like to start with the nomination to be Under Secretary of State for Arms Control and International Security.

For the past few decades, the global threat landscape has been going through a paradigm shift. Unfortunately, many in the West have clung to the notion that we can simply rely on the policies of the past to keep us secure today.

Nothing could be further from the truth. In just the last 10 years since the New START Treaty was ratified, the threats facing the United States, its allies, and our collective security have only grown.

Russia has completely modernized its nuclear forces and has done so outside existing treaty limits. It is growing its nuclear stockpile and is developing new so-called exotic missile delivery systems.

In addition, State Department compliance reports have laid out a consistent pattern of Russian noncompliance, also known as cheating, with a majority of the international arms control obligations it has signed.

Meanwhile, China is on pace to at least double its nuclear stockpile over the next decade. It has tested more ballistic missiles in 2018 and '19 than the rest of the world combined, and is likely engaged in nuclear testing activities.

Currently, China is modernizing every element of its nuclear triad, including larger land-based intercontinental ballistic missiles, new ballistic missile submarines, and long-range stealth bombers, and the Department of Defense assesses that China is raising the alert level of much of its nuclear force indefinitely.

Combined with lack of transparency, these actions contribute to potential miscommunication or inadvertent escalation in a conflict and each of these threats demands immediate attention.

Beyond Russia and China, we continue to face mounting threats from other malign actors like Iran and North Korea, who continue to vie for a place on the world stage by advancing their nuclear and missile programs and engaging in proxy and cyber warfare.

This arms race encourages other nations to question whether they too need to develop nuclear weapons—certainly, not a pretty picture—and in the process, it undermines—all of this undermines Cold War—the Cold War architecture.

The role of the Under Secretary for Arms Control is our lead negotiator and accountability monitor to keep other countries honest on these issues. This person must not only have a deep level of technical knowledge but also the skills and wherewithal to sit

across the table from leaders of these nations and push back against empty offers and veiled threats.

It is also critical that this administration recognize the interdependence between arms control and nuclear modernization, as explicitly as explicitly codified in the ratification of the New START Treaty.

The Obama administration committed to nuclear modernization in order to win ratification of the New START Treaty but promptly scrapped those promises and abandoned those commitments just a year later.

Trust must be rebuilt between Congress and the executive. To rebuild this trust, the Biden administration must commit to a full modernization of the nuclear triad and nuclear weapons complex.

This is vital to reassure our allies who have forgone developing nuclear weapons and instead rely on our nuclear umbrella that we provide for them. Dismantling our capabilities while our adversaries build their stockpiles, is inherently destabilizing and undermines international security.

Which brings me to the last but, certainly, one of the most important topics for this nominee, the Senate's role in approving arms control agreements and treaties. The Constitution plainly lays out the Senate's role in approving these types of international agreements.

I cannot stress enough that any international agreement in the arms control space, including reentry into a previous agreement, must be put to the Senate for its advice and consent, as demanded by the Founding Fathers and our Constitution.

And to win consent, the administration should take concrete steps to rebuild the trust previous congresses have placed in the executive branch.

Next, we have the nomination of the Honorable Jose Fernandez to be Under Secretary of State for Economic Growth, Energy and Environment. Our economy is one of our greatest assets and we all know economic policy is a crucial part of foreign policy.

The United States represents about 4.5 percent of the world's population, but we account for 22 percent of the world's economic activity. American creativity, innovation, and determination are hallmarks of the U.S. economic model and it is not surprising that countries around the world long to duplicate our success.

More government spending of borrowed money or of government-appropriated private capital is simply not the answer to our problems or those of other countries. Spending enormous sums at home and abroad in the hope that it will create a better world is not sustainable.

Instead, we must carefully define our objectives. Whether it is economic energy or environmental policy, we must be advocates of a free market system that resists the temptation to impose a one-size-fits-all solution to these incredibly diverse and difficult issues.

Further, how we steward our economy and help other countries develop is important to expanding the rule of law, encouraging compliance to international norms, and pushing back on corruption.

We must continue to promote the private sector-driven market-based economy that has led to the United States and its allies

achieving a level of prosperity for our citizens never before seen in history.

It is only through promoting this system that the West will truly be able to offer the world a better alternative to the socialists and parasitic Chinese economic policies and to reinforce the system of fair play rules we, along with other free and democratic countries, have constructed.

This is the economic landscape that lies ahead of us. With our allies, we must rise to this challenge. I look forward to hearing from both the witnesses on how they plan to address these very important issues.

Thank you, Senator Menendez.

The CHAIRMAN. Thank you, Senator Risch.

So we will turn to our two nominees. Your full statements will be included in the record. We ask you to summarize them in about five minutes or so we can have a conversation.

And we will start off with Ambassador Jenkins.

**STATEMENT OF THE HON. AMBASSADOR BONNIE D. JENKINS
OF NEW YORK, TO BE UNDER SECRETARY OF STATE FOR
ARMS CONTROL AND INTERNATIONAL SECURITY**

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

I am grateful to President Biden, Vice President Harris, and Secretary Blinken for their trust and faith in nominating me to be Under Secretary of State for Arms Control and International Security.

It is a great honor for me to come before this committee. If confirmed, I pledge to work tirelessly for the American people and in close coordination with members of Congress and this committee to advance our shared ideals for this great nation.

I would like to thank my mother, Dorothy Jenkins, my family, and my friends and colleagues who have inspired and supported me for so many years. I have been honored to serve the U.S. government as both a civilian and in uniform from working on arms control treaties as a lawyer with the U.S. Arms Control and Disarmament Agency in the 1990s to over 20 years in the U.S. Air Force and Navy Reserves.

Most recently, I had the honor of being confirmed to serve as ambassador for the State Department Threat Reduction Programs from 2009 to 2017, working to bring the issues of chemical, biological, radiological, and nuclear security front and center.

My commitment to public service has always included advancing opportunities for all Americans. In 2017, I founded the nonprofit Women of Color Advancing Peace, Security, and Conflict Transformation in an effort to make sure that our nation's policymakers are engaging in and constitute all of our experts, regardless of race, gender, or background.

I am also a professor at Georgetown and George Washington Universities teaching our future generation of policymakers. If confirmed, I will bring this breadth of experience to bear on the challenges that our country is facing today.

An increasingly authoritarian People's Republic of China is pursuing a destabilizing military modernization project and rapid nuclear buildup, endangering the international rules-based order and inflaming regional and global tensions.

Iran has continued to expand and accelerate its nuclear program and ballistic missile development, in addition to its ongoing support for terrorist groups and violent armed militias.

Russia continues to violate arms control agreements and commitments, and we face new cybersecurity and emerging technology threats from our adversaries. Reducing the risk of war through effective arms control, limiting Russian and Chinese nuclear expansion, strengthening our efforts in biosecurity, pursuing accountability for the use of chemical weapons, and promoting a diverse workforce will be among my top priorities, if confirmed.

We must strengthen deterrence alliance in the Euro Atlantic and Indo-Pacific to better deter and defend against growing threats. We must develop and implement norms of responsible behavior in outer space.

We must grapple with advancements and emerging technologies that can threaten strategic stability. If confirmed, I will strive to ensure that arms transfers and security assistance are focused on building value-based security partnerships.

I will carefully assess all critical factors, including nonproliferation, arms control, and human rights, and will ensure other key commitments, such as maintaining Israel's qualitative military edge, are upheld.

I look forward to working with this committee, if confirmed, to look strategically at how our security assistance authorities are structured and how they are balanced and resourced across the Departments of State and Defense to ensure that our tools, including our security cooperation agreements, are the most efficient for the U.S. taxpayer and the most effective for U.S. national security.

Renewed American leadership, as set out in the administration's interim national security strategic guidance, will be essential to reducing the dangers from chemical, biological, radiological, and nuclear weapons and their delivery systems.

Further, working with allies and partners the United States must continue to stand up for an open, interoperable, reliable, and secure internet and stable cyberspace where international law and voluntary nonbinding norms apply to state behavior.

You have my commitment that if I am confirmed I will work in close coordination with you in our efforts to restore Congress' role in formulating foreign policy and to ensure the policies we enact are in the greatest interest of our national security of the American people.

The interests we face are numerous, but our commitment to our allies and to our American people is rock solid. We have much work to do and I am ready to get started.

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

[The prepared statement of Ms. Jenkins follows:]

PREPARED STATEMENT OF HON. BONNIE R. JENKINS

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

I am grateful to President Biden, Vice President Harris, and Secretary Blinken for their trust and faith in nominating me to be the Under Secretary of State for Arms Control and International Security. It is a great honor for me to come before this committee. If confirmed, I pledge to work tirelessly for the American people and in close coordination with Members of Congress and this committee to advance our shared ideals for this great nation.

I would like to thank my mother, Dorothy Jenkins, my family, and my friends and colleagues who have inspired and supported me for so many years.

I have been honored to serve the U.S. Government as both a civilian and in uniform, from working on arms control treaties as a lawyer with the U.S. Arms Control and Disarmament Agency in the 1990s, to over 20 years in the Air Force and U.S. Navy Reserves. Most recently, I had the honor of being confirmed to serve as Ambassador for the State Department's threat reduction programs from 2009 to 2017, working to bring the issues of chemical, biological, radiological and nuclear security front and center.

My commitment to public service has always included advancing opportunities for all Americans. In 2017, I founded the non-profit Women of Color Advancing Peace, Security and Conflict Transformation in an effort to make sure that our nation's policy makers are engaging in and constitute all of our experts, regardless of their race, gender, or background. I am also a professor at Georgetown and George Washington Universities, teaching our future generation of policy makers.

If confirmed, I will bring this breadth of experience to bear on the challenges that our country is facing today. An increasingly authoritarian People's Republic of China is pursuing a destabilizing military modernization project and rapid nuclear buildup, endangering the international rules-based order and inflaming regional and global tensions. Iran has continued to expand and accelerate its nuclear program and ballistic missile development, in addition to its ongoing support for terrorist groups and violent armed militias. Russia continues to violate arms control agreements and commitments. And we face new cybersecurity and emerging technology threats from our adversaries.

Reducing the risk of nuclear war through effective arms control, limiting Russian and Chinese nuclear expansion, strengthening our efforts in biosecurity, pursuing accountability for the use of chemical weapons, and promoting a diverse workforce will be among my top priorities, if confirmed. We must strengthen deterrence alliances in the Euro-Atlantic and Indo-Pacific to better deter and defend against growing threats. We must develop and implement norms of responsible behavior in outer space. And we must grapple with advancements in emerging technologies that can threaten strategic stability.

If confirmed, I will strive to ensure that arms transfers and security assistance are focused on building values-based security partnerships. I will carefully assess all critical factors, including nonproliferation, arms control, and human rights, and will ensure other key commitments, such as maintaining Israel's Qualitative Military Edge, are upheld.

I look forward to working with this committee, if confirmed, to look strategically at how our security assistance authorities are structured, and how they are balanced and resourced across the Departments of State and Defense, to ensure that our tools, including our security cooperation agreements, are the most efficient for the U.S. taxpayer, and the most effective for U.S. national security.

Renewed American leadership—As set out in the administration's Interim National Security Strategic Guidance—will be essential to reducing the dangers from chemical, biological, radiological, and nuclear weapons, and their delivery systems. Further, working with allies and partners, the United States must continue to stand up for an open, interoperable, reliable, and secure Internet and a stable cyberspace, where international law and voluntary, non-binding norms apply to state behavior.

You have my commitment that if confirmed I will work in close coordination with you in our efforts to restore Congress' role in formulating foreign policy, and to ensure the policies we enact are in the greatest interest of our national security and of the American people. The threats we face are numerous, but our commitment to our allies, and to the American people, is rock solid. We have much work to do, and I am ready to get started. With that, I welcome your questions and look forward to our discussion today.

The CHAIRMAN. Thank you, Ambassador.
Mr. Fernandez?

STATEMENT OF THE HONORABLE JOSE W. FERNANDEZ OF NEW YORK, TO BE AN UNDER SECRETARY OF STATE (ECONOMIC GROWTH, ENERGY, AND THE ENVIRONMENT); UNITED STATES ALTERNATE GOVERNOR OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT; UNITED STATES ALTERNATE GOVERNOR OF THE INTER-AMERICAN DEVELOPMENT BANK; AND UNITED STATES ALTERNATE GOVERNOR OF THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT

Mr. FERNANDEZ. Thank you. Thank you, Chairman Menendez. Thank you, Ranking Member Risch, and other members of this committee for the opportunity that you have given me before—to appear before you today.

I would like to take a couple of seconds to introduce my family. I am blessed to have a supportive and loving family made up of three remarkable women. All three of them walk the talk of public service and I am very proud of them.

My wife, Andrea Gabor, is a professor at Baruch College in New York and the author of four books, in addition to being the mother of Sarah and Annie. Sarah, who is also here, spent a big chunk of her law school years volunteering at a death penalty clinic and is on her way to a graduate degree in psychology.

And not with us but very much in our thoughts is our second daughter, Annie, who is pursuing a joint public health and medical degree in California. I could not be here without them. So thank you for giving me the opportunity to introduce them.

I am honored to come before you as President Biden's nominee for Under Secretary of State for Economic Growth, Energy, and the Environment. I am grateful for the confidence shown in me by the president and by Secretary Blinken.

If confirmed, I will consult frequently with this committee as we work to serve the interests of the American people.

Nearly a dozen years ago, in the midst of the Great Recession, I appeared before this committee as the nominee for Assistant Secretary of State for Economic, Energy and Business Affairs.

I come to you today under circumstances that are different from those that we faced in 2009. But the reasons that brought me here have not changed.

My family and I left Cuba as refugees in 1967. We were fed in food kitchens by charities and we lost the lease in our first home. But when we settled in New Jersey in the town next to Union City in Hudson County, we began to rebuild lives that had been upended by revolution, fear, and deprivation.

A decade later, a country that owed us nothing had given me scholarships at Dartmouth College and Columbia Law School where I was challenged and nurtured by educators I will never be able to repay.

In short, I have lived the promise of America. I know that trading essential liberties for economic security is a false bargain, and I believe to my core that a humble but confident nation that celebrates its diversity while striving to reach a more perfect union can inspire others to tackle the existential challenges of our time.

With the exception of my four years here as Assistant Secretary, I practiced commercial law in New York since 1980. I have rep-

resented U.S. investors doing business abroad and foreign investors operating in the United States.

I have advised governments in Africa, Latin America, and elsewhere on pro-growth policies, and, unfortunately, over the last year I have also witnessed how workers and businesses everywhere have suffered in economies ravaged by COVID-19.

If confirmed, I will advance—seek to advance foreign policy initiatives that will benefit the American people and, particularly, our middle class, and I will focus on five priorities.

My first will be to support the State Department’s critical role in stopping COVID-19. As Undersecretary, I would work to advance global vaccination, secure critical supply chains, promote economic recovery, and promote effective global systems.

My second priority will be to work on environmental and energy policies to accelerate economic growth. President Biden’s executive order on tackling the climate crisis has established this goal as a national priority.

There is no greater challenge than climate change and we must work to include all countries in the effort while ensuring that our workers will share in the benefits of the new economy.

My third priority will be to ensure that our country will benefit from free, fair, and reciprocal trade. We need to focus on common goals with our trade partners while working to remove trade irritants.

We also need to support American innovation by protecting intellectual property rights overseas and preventing strategic competitors from gaming the system.

A fourth priority of mine will be to help maintain American leadership in the digital economy and emerging technologies.

U.S. technology companies face increasing challenges in maintaining U.S. preeminence in cutting-edge science and technology, and we need to engage diplomatically and with industry stakeholders so that international norms and standards are fair and transparent.

Finally, my last task will be to do what I have been doing now for almost 40 years and that is to facilitate new market opportunities for U.S. firms. Competing in the international arena is a strategic imperative for the United States and an opportunity for our companies and our workers.

Thank you, and I look forward to your questions.

[The prepared statement of Mr. Fernandez follows:]

PREPARED STATEMENT OF HON. JOSE W. FERNANDEZ

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

I am honored to come before you as President Biden’s nominee for Under Secretary of State for Economic Growth, Energy, and the Environment. I am grateful for the confidence shown in me by the President and Secretary Blinken. If confirmed I will consult frequently with this Committee as we work to serve the interests of the American people.

Nearly a dozen years ago, in the midst of the Great Recession, I appeared before this committee as the nominee for Assistant Secretary of State for Economic, Energy, and Business Affairs. I now come to you at a moment that is no less dire. A pandemic has robbed the lives of more than 570,000 Americans and millions more around the world. Generations wonder whether we can avert a climate cataclysm.

Emboldened rivals seek to expand their influence at America's expense. And traditional allies question whether the United States will remain at their side.

I come to you today under circumstances different from those we faced in 2009, but the reasons that brought me here have not changed. My family and I left Cuba as refugees in 1967. We were fed in food kitchens run by charities and lost the lease in our first home, but when we settled in New Jersey and my mother took a job as a seamstress in a local factory and my father became a bank clerk, we began to rebuild lives upended by revolution, fear and deprivation. A decade later, in a country that owed us nothing, I had received scholarships to Dartmouth College and Columbia Law School, where I was challenged and nurtured by educators I will never be able to repay.

In short, I have lived the promise of America. I know that trading essential liberties for economic security is a false bargain. And I believe to my core that a humble but confident nation that celebrates its diversity while striving to reach a more perfect union can inspire others to tackle the existential challenges of our time.

With the exception of my four years in Washington as Assistant Secretary, I have practiced commercial law in New York since 1980. I have represented U.S. investors operating in troubled countries, and foreign investors seeking to raise funds in our capital markets or navigate the U.S. foreign investment system. I have advised governments in Africa and Latin America on pro-growth policies. Unfortunately, over the last year I have also witnessed how workers and businesses everywhere have foundered in economies ravaged by COVID-19.

If confirmed I will seek to advance foreign policy initiatives that will benefit the American people, and particularly our middle class, focusing on five priorities:

1. *The State Department's critical role in stopping COVID-19*: As Secretary Blinken has said "This pandemic won't end at home until it ends worldwide." As Under Secretary I would work to advance global vaccination, secure critical supply chains, support safe international transportation systems, and—more broadly— promote inclusive economic recovery and effective global health systems.
2. *Environmental and energy policies to accelerate economic growth*: President Biden's Executive Order on tackling the climate crisis established as a national priority raising global climate ambition and integrating climate considerations across a wide range of international fora. There is no challenge greater than climate change, and we must work to enlist all countries. We also need to ensure that our workers will share in the benefits of the new economy.
3. *Free, fair, and reciprocal trade*: The United States needs to focus on common goals with our trade partners while working to remove trade irritants. We also need to support American innovation by enlisting partners to protect intellectual property rights overseas and prevent strategic competitors from circumventing the rules.
4. *Leadership in the digital economy and emerging technologies*: U.S. technology companies face increasing challenges in maintaining U.S. preeminence in cutting-edge science and technology. We need to engage diplomatically and with industry stakeholders to maintain U.S. competitiveness and ensure that international norms and standards are fair and transparent.
5. *Facilitating new market opportunities for U.S. firms*: As the Department's senior economic official, I would direct our network of economic officers in embassies around the world to help U.S. firms expand overseas, creating jobs in the United States and contributing to our economic growth. Competing in the international arena is a strategic imperative for the United States and an opportunity for our companies and workers.

Let me conclude by stressing that, if confirmed, I would be honored to serve with Secretary Blinken and my counterparts throughout the U.S. Government in support of the President's economic policy agenda. I will also seek your counsel throughout my tenure.

Thank you. I look forward to your questions.

The CHAIRMAN. Well, thank you both for your testimony. We will begin a series of five-minute rounds for members, and I will at the beginning say I have to go to introduce two judges to the Judiciary Committee. So I will—

Senator RISCH. I will take over.

The CHAIRMAN. Yeah, absolutely. I know you would be happy to. [Laughter.]

The CHAIRMAN. I have no doubt about that. So I will start off with my questions. Then I will turn to Senator Risch. I should be back by then. But if not, Senator Risch, if you would acknowledge according to the list that we have here.

Let me start off with you, Ambassador. I am glad I heard in your statement about your commitment to work with the committee. The leadership of State in the last administration had a very contentious relationship with this committee on arms sales matters, and it was clear that our legitimate statutory oversight role was neither recognized nor respected.

So far, Secretary Blinken has fostered a very different relationship that is professional, respectful, and consultative. Will you continue and broaden this relationship on arms sales oversight and will you commit to consult with us regarding policy changes and initiatives and not merely inform us of your decisions?

Ms. JENKINS. Thank you for your questions, Senator.

Yes, I can confirm that I am more than happy to consult with you.

The CHAIRMAN. All right.

Now, I have been concerned for some time that a Democracy, Human Rights, and Labor Bureau does not have appropriate influence on the arms sales process. The Biden administration seems better disposed to consider the human rights components of the arms sales process.

I plan to reintroduce my Safeguarding Human Rights in Arms Sales Act, which seeks to reemphasize and enhance DRL's role. I have no ideological prohibition to having U.S. arms be sold abroad. I have no problem with that.

I do have a problem when we sell it to countries that violate human rights or act outside of the international norm and the use of those weapons.

So, if confirmed, will you enhance DRL's role in the arms sales process?

Ms. JENKINS. Yes, Senator. What I can certainly say is, as I said in my statement, I view human rights as forefront and fundamental to arms sales and arms transfers. So I will, certainly, do what I can, if I am confirmed, at State to include all issues and individuals in terms of promoting human rights.

The CHAIRMAN. Now, I want to turn to the question that I raised earlier, and I think you and I had an opportunity to discuss this. As I mentioned in my opening remarks, DOD has reproduced more and more of State's security assistance authority.

It has recently attempted to reproduce State's international military education and training program with a focus on its own priorities as it has done with other duplicated programs. It, essentially, runs its own foreign military financing grant program, which is considered far more flexible than State's.

If confirmed, will you give equal focus to all the issues in all of the bureaus and offices under your supervision and actively defend State's equities and authorities in this regard?

Ms. JENKINS. Thank you, Senator.

Yes, I am very concerned and would, certainly, be working with all the authorities and the offices within State and the interagency to strengthen the role of the State Department in this issue.

The CHAIRMAN. All right.

Mr. Fernandez, it is good to see your family here, incredibly gifted family, I must say. You have got all the bases covered. You can get educated, your health care is going to be taken care of, and that is a pretty good deal.

So I want to know—I hope you have had an opportunity maybe to see what this committee did last week, in a 21 to 1 vote, passed out the Strategic Competition Act, which is something that Senator Risch and I authored, along with many members of this committee, intended to restore our global economic leadership, including passages calling on the president to work with our G-7 allies in matters relevant to economic and democratic freedoms.

We see in this committee on a bipartisan basis as China being our most strategic competitor, a nation that we must confront when they violate international norms but we must also compete with.

If confirmed, what will be your goals when it comes to the global economy and in its post-COVID recovery, particularly as it relates to competing with China?

Mr. FERNANDEZ. Thank you for your question, Senator, and I commend you and the committee for the work that you did last week on the China bill. It is an issue that I think will be an important part of my role at the State Department.

The fact of the matter is that, as you know, China is no longer biding its time. It is challenging us in the economic sphere every chance that it gets and it is doing so through practices that are inimical to many of the rules that it had to follow in order to get to where it is. The Chinese are now trying to challenge those rules.

We have pushed back but I think we must do more, and I think the bill that you worked on last week will be—will give us an additional tool to do that.

One of the areas on which I think I would like to concentrate my efforts will be to work with our allies more, to work with our private sector more, and to provide alternatives to other countries doing business with China.

Oftentimes, they may not have other choices, and I think part of what we need to do is to work with our allies and to work with our companies to talk to them about the opportunities abroad and to get them much more involved in international business.

The CHAIRMAN. Thank you. I am going to turn to Senator Risch. I am going to let Senator Risch preside in this period of time. After Senator Risch, Senator Cardin is next and then Senator Hagerty after that. But I should be back by that time.

Thank you, Senator Risch.

Senator RISCH. [Presiding.] I appreciate that. Thank you, Mr. Chairman.

I am going to ask a few questions here and then we will turn to Senator Cardin.

Ambassador Jenkins, as you know, the United States withdrew from the Intermediate Nuclear Forces Treaty, commonly known as the INF Treaty. We believed it was the right thing to do—that is, the United States did—and so did NATO. NATO found that the U.S. was justified in withdrawing from INF. I am told you do not particularly agree with that decision. Is that correct?

Ms. JENKINS. Thank you, sir.

At the time the decision was made, my concern was whether, in fact, in my view, we had a significant strategy as a next step after that. So that was my concern at the time.

Senator RISCH. Do you still—are you still in the same spot you were?

Ms. JENKINS. I think that after I had time to see this, I am still concerned about the strategy, going forward. But I, certainly, understand why the U.S. withdrew. Senator Risch: All right. And, of course, that was the result of the fact that the treaty was a one-way street. That is, we were complying but the Russians were not. Fair statement?

Ms. JENKINS. Yes. Yes, a fair statement.

Senator RISCH. Do you have any plans of turning that around?

Ms. JENKINS. The statement or—

Senator RISCH. No.

[Laughter.]

Senator RISCH. The statement is the statement. I am talking about the—about the facts, about trying to get them back in the lane they are supposed to be in.

Ms. JENKINS. Well, I think what we—what the administration does have planned for the future, and if I am confirmed I would be, hopefully, involved in these kind of discussions, is a way forward to work with Russia, and the idea would be to have what they are calling strategic stability talks, in which time it would be an opportunity to really look at all the different issues with Russia. But also we want to continue to engage our allies on issues in—regarding Europe and NATO.

So I think that the idea now is to have some of these discussions with our allies and, of course, we will have our discussions with Russia, and then we will see where we are after we have had a chance to start these dialogues.

Senator RISCH. How about the Chemical Weapons Convention and Russia's compliance or, rather, noncompliance? Do you have thoughts on that?

Ms. JENKINS. Well, the use of chemical weapons is reprehensible and I—you know, I know the U.S. has instituted sanctions against Russia as a result of the use of nuclear—chemical weapons against their own citizens.

The U.S. continues to make the point at the OPCW in The Hague and also to raise the point with our allies as well. So my view is that that use of chemical weapons is, as I said, reprehensible.

Senator RISCH. I think we all agree with that. But the question is, how do you get them—how do you bring them to heel to comply with the convention that they have subscribed to?

Ms. JENKINS. Sir, you continue to use sanctions. You continue to work with our allies to put pressure on them. You continue to work with multilateral organizations like the Organization for the Prohibition of Chemical Weapons.

You work through the U.N. You use all the tools that you have—in my view, use all the tools that you have at your disposal, whether they are diplomatic or others, to actually try to get the Russians to actually abide by what they are supposed to be doing.

Senator RISCH. How about the Biological Weapons Convention?

Ms. JENKINS. The Biological Weapons Convention is a convention that is significant and we need to continue to put more emphasis on the Biological Weapons Convention, to reinvigorate it.

It is another opportunity and another way that we can encourage Russia to abide by things that we think they should be abiding by.

Senator RISCH. And what about nuclear testing with Russia?

Ms. JENKINS. The concern there is, as you probably know, all of the P-5 countries, all the nuclear weapons countries, currently have a moratorium on nuclear testing. The concern there is if countries start to test again it can open a box to nuclear testing.

We have had a moratorium for a number of years so we want to try to prevent a situation where countries feel that that is something that they could be doing again.

Senator RISCH. I am assuming you are familiar with the 2020 State Department compliance report that Russia is, in fact, violating each one of these agreements. Are you familiar with that from the agency that you are about to join, that report?

Ms. JENKINS. I am aware of the compliance report. Obviously, I did not have any input on that.

Senator RISCH. Of course.

Ms. JENKINS. And I will have much more time to examine it after—of course, after—if I am confirmed, but after today.

Senator RISCH. Are you in disagreement with their conclusions that Russia is in noncompliance and violating all of these conventions and treaties that we have just talked about?

Ms. JENKINS. No, I am not in—I would not be in disagreement with that, sir.

Senator RISCH. Well, I think that underlies the heavy lift that you have ahead of you. You have talked to me generally about that. Can you give me any more specifics on your—on how you intend to go down that road?

Ms. JENKINS. Well, sir, I mean, I think that what we need to do is as the government is planning—and I am not there so I cannot really attest to all of the discussions that are actually taking place in their interagency.

But as I said, what I am aware of are the next steps in terms of engaging on issues of nuclear weapons, the use of sanctions against Russia that have just been done. We can continue to do sanctions, continue to put pressure on them in other ways using the whole of government and all of the different tools that we have, using diplomacy, which is—which we have different avenues for that both bilaterally, multilaterally, through our multilateral organizations.

You know, we think—I think we just have to use all the tools that we have at our disposal to try to convince and to push Russia to comply with treaties.

Senator RISCH. In looking over some of the things that you have written, I was a little perplexed. On April 21st, 2019, you wrote, and I quote here, “Men make nuclear weapons more dangerous,” end quote.

I am a little perplexed by that. How do I make nuclear weapons more dangerous? What—could you drill down on that a little bit for me?

Ms. JENKINS. Yeah. I do not quite recall that statement. I am not saying I did not make it, but out of context I do not recall. If it is—I would have to know which article that was.

But I know that I have written about the importance of having diverse perspectives in terms of national security and foreign policy, in terms of having different viewpoints, in terms of having more women at the table. I assume that that is the context that you are—you are pulling that from.

Senator RISCH. Well, the—I am looking at it here and the exact quote is, “Men make nuclear weapons more dangerous,” a completed sentence. And I guess I am just perplexed as to how men make nuclear weapons more dangerous.

Ms. JENKINS. Well, I think what—if I can recall what you are pulling it from, essentially, what I am saying there is that we have a situation now where we have to reassess where we are in terms of where we have been.

We need to look at bringing more different diverse people to the table. To date, we have not had enough significant diversity, and it has been a situation where it has been, essentially, men at the table.

So it is more of an issue of we need to include more people and more diverse people because we only know what we have right now, and we do not have that.

Senator RISCH. I do not think anyone is in disagreement that diversity is appropriate. But I just do not understand how men make nuclear weapons more dangerous. That is very perplexing.

Ms. JENKINS. I think—yeah, what you are pushing at is that the context that men—without having to make any certain statements here, that the belief that women in conflict situations, and there has been study on this, that when women at the table that there is more peace and peace tends to last longer.

Senator RISCH. Senator Cardin, you are up.

[No response.]

Senator RISCH. Okay. We will go down in the list that people were signed up. Senator Van Hollen, are you with us by WebEx?

[No response.]

Senator RISCH. How about—

Senator CARDIN. No, I am sorry. Mr. Chairman?

Senator RISCH. Senator Cardin, it sounds like you, but I do not see you.

Senator CARDIN. I think I am now with you. Thank you very much, and let me thank both of our nominees for their willingness to serve in these two very important roles.

In both of your testimonies, you have indicated the importance of American values in our policies. Ambassador Jenkins, you specifically said that we need a value-based policy as it relates to our arms issues.

And certainly, Mr. Fernandez, your family experience points out the importance of value-based policies. So I want to ask both of you a question but, first, let me start with Ambassador Jenkins. And that is, our arms policy needs to be based upon our values and our values are respect for human rights.

So when we get involved in arms sales with countries that allow these arms to be used inappropriately against their own people, or

to deny human rights to others, we should not permit that to happen. We need to filter our considerations of arms sales through our human rights concerns.

What commitments can we have from you that, as you are at the table as these types of decisions are being made that, indeed, we will promote our values, our human rights, even though at times it might run some challenges in our bilateral relations with other countries?

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

Yes, as I said, that we need to look at our values but also we need to highlight the importance of human rights. In that, I can—what I am aware of is that there is now a review ongoing on our conventional arms transfer policy which will inform decisions on transfers, and that I can certainly say, if I am confirmed, that things will change. It will not be business as usual.

So we need to continue to look at these on a case by case basis. We need to look at our national security concerns. We need to look at our strategic concerns that we have in the region, region stability, and we also need to continue to reassess anything that we decide to transfer to another country.

But, ultimately, we have to consider human rights in these issues, and if I am confirmed, I will be looking at the revised CAT policies that are being discussed right now.

Thank you.

Senator CARDIN. I will be working with you on those areas. I have introduced some legislation in this regard, and I am glad to see it is not business as usual. It is absolutely essential that, as we talk about arms sales that human rights be a component of those discussions.

Mr. Fernandez, I want to raise a subject I have raised consistently with nominees that have come before our committee, and that is the importance to standing up against corruption.

We have several tools that are available that are in your toolkit, including the use of the Global Magnitsky statute. There are pieces of legislation pending before this committee that I have authored on a bipartisan basis with other members of our committee that would set up a requirement that our missions evaluate every country's commitment to anti-corruption and evaluate how well they are doing, as well as making funds available to fight corruption.

Can I get your commitment—I have gotten this from so many of the members of the Biden administration—that you will be focused in your work on an anti-corruption agenda, recognizing that corruption many times is the fuel for anti-democratic regimes being able to stay in power and abuse power?

Mr. FERNANDEZ. Senator, thank you for your question. Absolutely. You have my commitment. In fact, I will tell you that I am a firm believer from my time in the private sector that we are never going to out compete other countries through low environmental standards, intellectual property theft, corruption, or lack of respect for human rights.

Transparency is part of our DNA. It is part of what we are about as a country and it is also—I have seen it. I have seen it be a competitive advantage.

I have seen countries say, we are going to use an American company to build this road because we know that that contract was not obtained through illicit means. So you have my commitment and, in fact, I would love to work with you some more on these issues. It is something that is in my DNA as well, and I very much would welcome the opportunity to discuss it further with you.

Senator CARDIN. Well, thank you, and again, I want to thank both of our nominees and their families. This is a tough time to serve in government.

Both of your roles that you have been nominated for are critically important to our national security and have challenges, and thank you for stepping forward and I look forward to working with both of you.

Thank you, Mr. Chairman.

The CHAIRMAN. [Presiding.] Thank you, Senator Cardin. I understand Senator Hagerty is with us virtually.

Senator HAGERTY. Yes, Mr. Chairman.

The CHAIRMAN. You are recognized, Senator.

Senator HAGERTY. Thank you, Mr. Chairman, Ranking Member Risch. I appreciate your holding this meeting.

My first question is for Ambassador Jenkins. Thank you for being here today, Ambassador.

We are in a period right now where China is ramping up its nuclear weapons capability. At the same time, Russia is articulating a strategy like escalate to deescalate. They are developing weapons like the Poseidon that has the capability of destroying cities.

So at this time, I want to get your perspective on which way the Biden administration is going to go, and if I could, I would like to read a couple of quotes and then get your thoughts on what direction we are going.

During her nomination hearing, Deputy Secretary of Defense Kath Hicks said that “The Triad has been the bedrock of our nuclear deterrent and I think it must be modernized in order to be safe, secure, and credible.”

Yet, on April 10th, 2021, two Biden administration officials gave an interview in Japan with the Asahi Shimbun with a fundamentally different message about U.S. nuclear policy.

During that interview, Deputy Assistant Secretary of State for the Bureau of Arms Control, Verification, and Compliance Alexandra Bell and Deputy Assistant Secretary of Defense for Nuclear Missile Defense Policy Leonor Tomero said that, quote, “There is no doubt that President Biden’s goal is to reduce the role of nuclear weapons.”

So, Ambassador Jenkins, if you are confirmed, will you commit to supporting the modernization of nuclear weapons?

Ms. JENKINS. Thank you, sir. I think I, like President Biden, really support a safe, secure, and strong nuclear arsenal for as long as we do have our nuclear arsenal, and I know that this is a—this has been something that has had bipartisan support.

I know that right now this is being led—issues of modernization are led by our Department of Defense, our Joint Chiefs of Staff, and Department of Energy. So what I can say is that, obviously, I am not in the government right now and knowing what is being discussed.

But I can, certainly, say that if I am confirmed I look forward to engaging with military components as well as Department of Energy in the modernization and process.

And, you know, I think we can agree—as I said, it is bipartisan – that we do need a safe, secure, and effective arsenal.

Senator HAGERTY. Well, help me rectify this, because we are at a time right now when China and Russia are both stepping up their nuclear programs and you have got people in the department that, if you are confirmed, the department that you will run, who are saying that they feel that President Biden wants to see us reduce our nuclear capability.

How do you square that?

Ms. JENKINS. I think the way to square it is it is going to be a whole of government approach in terms of how we—how we approach these issues. I think having a strong nuclear arsenal is not necessarily a contradiction in terms of looking at how we can also find a way in which we can safely and adequately reduce our arsenal.

I think a lot will depend on what is decided in terms of how we work with countries like Russia. It will determine, I assume, on ongoing discussions with China. So I cannot say because I am not in the government.

But I think that we should be able to square this by having a whole of government approach in how we look at all of these issues of the nuclear Triad, the Nuclear Posture Review, and also the way in which we will approach countries on arms control and disarmament.

Senator HAGERTY. Ambassador, thank you. I will just say this. We live in a competitive world. We need to take account of what China is doing, what Russia is doing. We need not be naive in our process.

So I hope you will take a very careful look at what your staff, if you are to be confirmed, are saying and make certain that we have a consistent policy and that we are not articulating a confusing position to our own nation and to our adversaries.

Can I turn now to a discussion that I have been looking forward to having with Mr. Fernandez?

Mr. Fernandez, I would like to talk with you about the Clean Network initiative that you and I have discussed. It has been an undisputed success with some 60 countries that have already signed up. Two hundred companies have been involved in the Clean Network initiative, again, an initiative that we keep untrusted vendors out of our infrastructure.

We have talked about this in the past. It has built tremendous brand equity, and given your background in mergers and acquisitions, I am certain you realize that that type of momentum has a great deal of value, something that we would certainly like to see captured and the momentum continue.

If you are confirmed, would you commit to working with Congress to secure the resources and any new authorities that you may need to continue to move this program forward?

Mr. FERNANDEZ. Senator, thank you for your question, and we had a conversation yesterday about this and let me repeat what I said then, which is I very much agree that the stakes could not be

higher, that we need to trust that—and our allies need to trust that the 5G equipment that they purchase will not threaten national security, privacy, or basic infrastructure, and the Biden administration has reaffirmed the importance of a 5G strategy.

The Clean Network Initiative is currently under review. We share the goal. There has been lots of progress, and it is my intent to try and further those goals.

In a new administration, there may be some tweaks. But you have my commitment and you have my word that we will pursue the same goals because they involve national security at its core, not just for the United States but for the entire world.

And so I look forward to working with you on that and I would be delighted to spend some time working on furthering that objective.

Senator HAGERTY. Excellent, Mr. Fernandez, and I look forward to working with you, actually taking this approach across other sectors—technology sectors, energy sectors—as we think about, you know, the new infrastructure of the future, autonomous vehicles, et cetera. I think there is a lot of opportunity there.

One follow-up question. The State Department compiled a list of 1,100 companies that are involved in financing the PRC military. That list is very helpful to investment advisors as they think about and advise their clients on which companies to divest.

When will the State Department update that list of 1,100 companies?

Mr. FERNANDEZ. Senator, thank you for the question. I am not familiar with those plans. I would be happy to get back to you on that. But I am not familiar with the—with that list of the names that are there or the plants that the State Department has to update them. I will certainly get back to you on that.

Mr. FERNANDEZ. I understand that the State Department, in consultation with the Treasury Department, is currently evaluating entities based on required criteria under Executive Order 13959, as amended, and relevant published Frequently Asked Questions.

Senator HAGERTY. Great. It is—it is very useful tool and I appreciate the update schedule when you can get it. Thank you so much.

Mr. FERNANDEZ. Of course.

The CHAIRMAN. Thank you. I understand Senator Van Hollen is with us virtually.

Senator VAN HOLLEN. Yes, thank you, Mr. Chairman and Ranking Member, and congratulations to both witnesses on their nominations. Thank you for your willingness to serve.

Madam Ambassador, I want to follow up a little bit on some of the questions that Senator Hagerty raised, at least that line of questioning. I think we have long agreed on a bipartisan basis that our sort of strategic defense depends on a reliable and effective nuclear deterrent.

But we have also recognized that we can make ourselves safer through smart arms control agreements with previously the former Soviet Union and now with Russia and others, and I was pleased to see that President Biden chose to extend the New START agreement by five years.

That had some bipartisan support here. I had introduced a resolution with Senator Young to encourage that and I am glad that

the administration moved forward, and that has the support, as you know, of our military leadership as well, who recognizes—who recognized that that is an important part of our stability, predictability, and verification regime.

But this five years will now give us an opportunity to look at follow-on negotiations, strategic nuclear negotiations, or other nuclear weapons negotiations with Russia.

How do you anticipate moving forward on that? Do you agree that we should be looking for deeper cuts in strategic nuclear weapons and looking at some of the Russian capabilities and bringing them within the fold of the next arms control agreement?

Ms. JENKINS. Thank you, sir. And I think, looking forward, and as I said, this is something also being looked at by the administration and they are also in the process of planning the next steps for engagement with Russia on these issues, certainly, I think the idea would be deeper cuts.

But I think a lot of that depends. A lot of that depends on what happens with the strategic stability talks that are being planned.

We, certainly, want to include discussions on some of the novel weapons that Russia have. We, certainly, want to look at their non-strategic nuclear weapons that they have, which they have a lot more and are planning to build more of these type of weapons.

So we, certainly, want to have a discussion in which we will bring in all of these weapons systems, as I said earlier, so we can—we can determine exactly where we need to have a conversation on deeper cuts.

And as you—and as you have acknowledged, this will be a decision by the administration looking at all the different relevant factors, including having a strong nuclear arsenal.

Thank you.

Senator VAN HOLLEN. Well, thank you.

Let me turn quickly to China. While China is working to develop and modernize its nuclear forces, there remain big, you know, differentials between both the size and the quantitative edge with respect to our nuclear arsenal.

That does not mean, however, that there is not room for some negotiations with China to avoid miscalculations. Could you talk a little bit about your vision of how we engage with China when it comes to nuclear arms control?

Ms. JENKINS. China is an important country in terms of nuclear arms issues. They are a significant threat to us, as we have noted earlier. As noted, they are trying to increase their nuclear arsenal two times by the end of the year. They are strengthening their nuclear Triad. They are looking at trying some novel systems.

So, certainly, we have to find a way to have a—to get them at the table. As you know, it has been a challenge to do that. There have been attempts to try to make that happen.

But I think we have to focus on results more than form. We do think and I think the administration thinks that a bilateral effort is the way to go and because there are certain security issues that I think that we want to look at specifically with China.

So we want to engage them and I believe the administration is discussing next steps for to engage—to engage China bilaterally to try to start the discussion so we can prevent miscalculation, we can

have more transparency, and get a much better understanding of what is happening for everybody's security.

Senator VAN HOLLEN. Well, thank you.

And, Mr. Fernandez, just briefly, I want to mention Power Africa and whether you would agree that that has been a very useful tool in terms of engaging with Africa and trying to accomplish some of our objectives there and whether it makes sense to expand the use of Power Africa.

Mr. FERNANDEZ. Thank you, Senator. Thank you for your question, and I am very familiar with your interest and commitment to working in Africa.

I think Power Africa has been a success. It has been a success on the renewables front. It has been a success on regulatory reform in Africa. I think we need to expand it. I think, as I said in my opening statement, one of the benefits, one of the competitive advantages that we have over countries such as China is a private sector, and we need to get our private sector involved in infrastructure in Africa.

That may be a tall order. But I think programs such as Power Africa are programs that we ought to deepen, and you have my commitment to work with this committee to do that, going forward.

I have spent a fair amount of time in Africa. I used to commute to Ghana for about two years, privatizing its phone company. It is a country that has great potential and it also presents an opportunity for U.S. business and U.S. workers.

Senator VAN HOLLEN. Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Markey, I understand, is with us virtually.

Senator Markey?

Senator MARKEY. Can you hear me, Mr. Chairman?

The CHAIRMAN. Thank you. You are recognized.

Senator MARKEY. Mr. Chairman, can you hear me?

The CHAIRMAN. I can, and you are recognized.

Senator MARKEY. Beautiful. Thank you.

Ambassador Jenkins, President Trump systematically dismantled the arms control architecture that you will oversee as undersecretary. He was egged on—President Trump—by John Bolton.

But, ultimately, President Trump tossed aside the Intermediate Nuclear Forces Treaty, the Arms Trade Treaty, the Iran nuclear deal, the treaty on open skies, and he flirted with taking a wrecking ball to the Comprehensive Nuclear Test Ban Treaty by signaling an interest in conducting a, quote, "demonstration" nuclear test just last year.

And at home, President Trump broke with his predecessors by increasing the role of U.S. nuclear weapons in military strategy by deploying a low-yield warhead on our strategic ballistic submarines and developing a new nuclear sea launch cruise missile after President George Herbert Walker Bush retired them three decades ago.

So it is clear we need to build back a better nuclear posture, and so my question to you is—are—is the Biden administration going to carry out a review of its nuclear policy and do you agree that every effort should be made to follow the tradition of presidents on a bi-

partisan basis, going back to George Herbert Walker Bush but exempting Donald Trump?

Ms. JENKINS. Thank you, sir. It is my understanding that there is review taking place on the Nuclear Posture Review. There are reviews and interagency discussions, to my understanding, on a number of issues relating to arms control, relating to nonproliferation issues, and all the other—many of the other issues that we are discussing today.

So there is a review of that and I, certainly, look forward to and hope, if I am confirmed, that we can have a bipartisan process for going forward on all these issues that are within the T Bureau, particularly the ones we are talking today about arms control and nonproliferation, and finding ways that we can reassert the U.S. leadership role in arms control and nonproliferation.

Thank you.

Senator MARKEY. Yeah, thank you.

Well, in 2013, President Obama's nuclear employment guidance concluded that we could reduce our deployed stockpile by up to one-third and still meet our deterrence and reassurance commitments, and I hope that is the position that the Biden administration is once again going to reaffirm.

The Trump administration reportedly flirted with conducting the first U.S. nuclear test in over a generation in a clumsy attempt to bring Russia and China to the negotiating table. My PLANET Act last year helped to deny funds to make good on those Dr. Strange-love visions.

In your view, if we were to carry out such a test, what would the consequences be to the nuclear nonproliferation regime?

Ms. JENKINS. Sir, for the U.S.—if the U.S. did a test that would certainly – we, certainly, would not be considered leaders in the nonproliferation area. We have—we would go against our moratorium that we have on nuclear testing.

There would be lots of questions about why we are testing, what that mean in the future. So that would create a lot of confusion in the international community. It would create a lot of confusion by countries in terms of our overall role and obligations in arms control and it, certainly, would not bode well, in my opinion, in terms of our role and our position on nuclear testing.

Senator MARKEY. Good, thank you. And one final question. If confirmed, will you advocate for the president to recommit to the Arms Trade Treaty and work with members of this committee to build support for future senate advice and consent on that treaty?

Ms. JENKINS. Thank you for the question. If I am confirmed, I would, certainly, be interested in conversations and in the interagency on next steps or next possible steps for the U.S. in the Arms Trade Treaty.

Senator MARKEY. Okay. Beautiful. Thank you, and thank you for your service to our country.

Ms. JENKINS. Thank you.

The CHAIRMAN. Thank you.

Senator Schatz?

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

Ambassador Jenkins, there was a recent DOD report in which they essentially conceded an inability to track—to do end-use monitoring of arms in conflict areas like Ukraine and Afghanistan. We have seen American-made so-called nonlethal weapons used in Egypt and in Hong Kong.

I have a couple of questions about how we do end-use monitoring. I know there is a good partnership at the—at the State Department with the Department of Defense to track the weapons that we sell or provide to our foreign partners.

My understanding is that the Security Cooperation Office at our embassies is responsible for conducting these end-use checks. But often the people in these offices are stretched thin, and I am wondering if this is an area where a few more people or some new use of technology could strengthen our oversight in terms of weapons exports.

Can you comment on this and talk about what opportunities you see to improve the resources we dedicate to end-use monitoring checks?

Ms. JENKINS. Yes, thank you. Thank you, sir, for that question.

Yes, end-use monitoring is very important in terms of ensuring that the arms transfers actually end up where they are supposed to be.

So we, certainly, want to do everything we can to strengthen and make sure that end-use monitoring is happening. I am aware that there are cases, and I cannot recall which—in which case at the moment, but I know that it has been more successful I know in some cases where countries have actually gone out and done—have done more in terms of end-use monitoring and have more agreements.

I think one thing that we need to do, as you said, I think we should always look at more options if there is technology that can help. I think that, you know, if I were confirm happy to look at different options that can help us. Strengthening—if there is a need for more people to help out with that, I think that is great.

But I think, as I was saying earlier, as we have much more emphasis in the future on human rights, as we more have a much stronger emphasis on these issues in general in terms of where these—where these arms end up, I am, certainly, open to more discussion on what we can do to make it better, in particular, in light of the fact that we are relooking at our CAT policy and everything else.

Senator SCHATZ. So I think there are a couple of – there are a couple of areas for improvement.

First of all, technology. Second of all, just flat out resources. You need more human beings to do this work. And then third, sort of undergirding that, you do not want to just lay down a layer of technology on an old system under old assumptions.

And so I do think we need to do a comprehensive look and just concede it is not working right now. It may be working to greater and lesser degrees in certain countries, but where it needs to work it is not working.

Now, there is another question that I think is essential to this, which is that it is not just the geographic location of whatever

arms have been transferred. It is how they are used, right, and that is a policy question.

I am wondering if we can work together on that, because it may be that it is in the possession of those—of that country that we transferred it to but used for something that is antithetical to our values.

And I think that is a more ticklish kind of difficult policy question to get to because it is after the fact. But I still think that is our basic obligation when we think about and use monitoring. I wonder if you can comment on that.

Ms. JENKINS. No, I think—I think you are right. I think—I think, I mean, obviously, as you said, one question is where do the arms land and the other one is how are they used, you know, and giving them to a country for one purpose and they are being used for something else.

You know, it is a challenge. You know, it is a challenge to always—to know exactly how it is going to be used. But I think that we, certainly, want to strengthen whatever we have now to make sure that we can do that.

And so I am – certainly, if I am confirmed I am, certainly, happy and ready to work with you on that.

Senator SCHATZ. Thank you very much.

Mr. Fernandez, just a final question. Our science bureaus play an important role in terms of our relationships with countries in Oceania. Their work is key to protecting marine resources and combating IUU fishing and tackling the climate crisis.

But I worry that these issues get a little bit isolated, stovepiped, from the day-to-day diplomacy run out of the East Asian and Pacific Affairs Bureau.

Can you talk about how we can make sure that oceans and climate are elevated in our approach to Oceania so that it is not that we are separating science and conservation questions from the sort of big boy and big girl conversation around geopolitics, but that those are one and the same, especially in those areas where when you are dealing with heads of state where climate is their main issue, right?

When you have an inundated runway or you have an inability to farm or fish, climate is not some secondary optional conservation question. It is an existential question.

But I think that our bureaucratic systems have to reflect that prioritization, particularly in Oceania but also elsewhere.

Mr. FERNANDEZ. Thank you for your question, Senator, and I could not agree with you more that this is an existential question for the countries in Oceania. They are—they are facing, in some cases, extinction because of climate change. So I share very much your concern.

I also think that many of them—it also cuts across a number of other areas. They also are targets of Chinese influence, and so that is another national security challenge.

On the pollution front on the ocean, illegal fishing and those kinds of crimes, we have offices that are all over that and I have spoken to a number of them already, and I think there is more we could do, going forward.

So I would very much welcome, if confirmed, the opportunity to talk to you about that and you have my commitment that we will certainly look at those again, because I do agree with you. Sometimes these issues do get overlooked.

Senator SCHATZ. Thank you.

The CHAIRMAN. Thank you. Now, I understand there are no other colleagues seeking recognition, virtually or otherwise. So I have one final question.

Mr. Fernandez, during my time in this committee, I focused on reinvigorating the tools and instruments of our economic statecraft so that the Department of State, Treasury, Commerce, U.S. Trade Representative, and other elements of the U.S. government are working in tandem to promote international development, U.S. business opportunities, and U.S. best practices for corporate social responsibility.

I am amazed—you know, we have the Foreign Corrupt Practices Act, which we should. It does not allow U.S. businesses to suborn some entity or official abroad. Other countries do not have that. This has been one of Senator Cardin's passions on the question of corruption.

I go abroad and I see the chancellor of Germany with a trade mission directly engaged in trying to promote her country's services and products. Until recently, the Brazilians had a very powerful economic tool in their centralized effort.

So my question is what tools do we have, in your opinion, that are currently working? What tools are not working as effectively?

What additional authorities might you believe you might be needing and how do we bring a whole of government approach to an economic statecraft that creates greater opportunities for U.S. companies in selling their products and services abroad, opening up more markets, also instilling the business practices that are better than many others in the world so it has an economic benefit here at home?

We sell products abroad, our services abroad. We create jobs here at home. When we instill the right business practices, we improve governance in those countries.

Can you give me some insights as to how you are thinking about this?

Mr. FERNANDEZ. Sure. Thank you for the question. That is a big question and I am glad that you asked.

The CHAIRMAN. That is why you are going to get paid the big bucks if you get confirmed.

[Laughter.]

Mr. FERNANDEZ. I am very glad that you brought it up. You know, when I was here in—between 2009 and 2013, I was amazed by the fact that I would go to countries in the Middle East and, you know, I would go on my regular commercial flight and next to me would be the president of another country, and that president would come down the aisle and right behind them were a number of companies, were a number of business people.

It was not so much of a presidential visit as much as a Chamber of Commerce visit. We do not have that kind of ethos yet at the State Department. We are working on it and you have given us a number of tools.

I think what was done with the DFC is something that that ups the ante on where we can compete with the Chinese and with others.

We need to—and I intend to do this, if confirmed, at the State Department—we need to do more on the training front. Our State Department employees have to have economic statecraft at the forefront of their tasks. It has got to be part of what they get graded on.

And I think I would like to focus more on the training side. I think getting more whole of government cooperation, for example, on deal teams that where we embed economic officers in some of the embassies to support American business.

We need to do more of that because at the end of the day, becoming involved in international opportunities are not just a strategic imperative for the United States but also business opportunities for companies and an opportunity to create better jobs in the United States.

And so, if confirmed, I will continue my push to try and get economics at the forefront of what the State Department does.

The CHAIRMAN. Well, I am thrilled to hear you say that. I think that one of our challenges is trying to permeate throughout the State Department and its offices, particularly our embassies abroad, the concept that economic statecraft is one of the core missions that are critical for an ambassador and their staff to promote.

When I go abroad and visit our embassies—and they do incredible work and our people are just fantastic individuals—but I do not get the—I hear about the political component of what is happening in the country or our bilateral relations in dimensions that are everything but economic, in most cases.

And having that permeate to the thought that, in fact, what we are doing to promote U.S. economic interests, which I would argue also are about good governance issues as well within the country and better products and services for the nations receiving it, is, I think, an incredibly important element.

So we look forward upon your confirmation and working with you on this because I think this is a critical issue and it creates a real connection to Americans to understand if my business or the company I work for gets to sell X product abroad, my job here is not only more secure but maybe more prosperous. And so that is something we need to do a better job of.

Let me thank—oh, I am sorry.

[Pause.]

The CHAIRMAN. Okay. So we look forward to working with you on that. I am going to say we have a colleague who is supposedly on his way here and in deference to him I will wait.

But I will say that when he finishes his line of questioning, the record will remain open until the close of business Friday, April 30th. I would urge both of you there will be questions for the record. I would urge both of you to respond to them fully and expeditiously as possible so that—excuse me, so that your nominations can be considered at a business meeting of the committee and move the process forward.

[Pause.]

The CHAIRMAN. Excuse me for one moment.

[Pause.]

The CHAIRMAN. All right. I am not quite sure when our colleague would be here, and in deference to the rest of the committee, I am sure he will be able to pursue his questions for the record. He may call you as well.

I do not know if Senator Kaine has had an opportunity to engage with both of you. But if he has then I would urge you to do so.

And with the thanks of the committee, this hearing is adjourned. [Whereupon, at 11:16 a.m., the committee was adjourned.]

Additional Material Submitted for the Record

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO HON. BONNIE R. JENKINS BY SENATOR ROBERT MENENDEZ

Arms Control with China

Question. The recently passed “Strategic Competition Act” provides a blueprint for using all of the United States’ strategic, economic, and diplomatic tools to effectively compete with China. One section of this bipartisan bill lays out the need for effective arms control in the face of China’s military modernization and expansion. The previous administration made a clumsy attempt to engage China in arms control, which the PRC firmly rejected.

- What approach should the United States use to begin strategic stability talks or arms control with China?

Answer. If confirmed, I will work within the administration, in consultation with U.S. allies and partners, to pursue arms control measures to reduce the dangers from the People’s Republic of China’s growing nuclear arsenal. It is to be hoped that Beijing will come to see that arms control is in its security interest: not a trap designed to weaken China’s defenses, but rather a mechanism to reduce risk and the chances of uncontrollable arms races. If confirmed, I commit to consulting with Congress regarding the arms control approach the administration foresees pursuing with China.

Question. What issues do you believe the United States should focus on? Risk Reductions? Arms limitations?

Answer. The United States should pursue arms control, in the form of both numerical limitations and broader risk reduction measures, that advances the security of the United States, U.S. allies, and partners.

Question. What role should U.S. Indo-Pacific allies play in our arms control dialogue with China?

Answer. If confirmed, I will work within the administration, in consultation with U.S. allies and partners, to pursue arms control measures to reduce the dangers from the People’s Republic of China’s growing nuclear arsenal. It is to be hoped that Beijing will come to see that arms control is in its security interest: not a trap designed to weaken China’s defenses, but rather a mechanism to reduce risk and the chances of uncontrollable arms races. If confirmed, I will work with U.S. allies, particularly in the Indo-Pacific, to regularly urge Beijing to engage meaningfully with the United States on arms control, as doing so is essential to reducing global nuclear risks.

Question. Should the United States seek trilateral arms control talks involving both Russia and China?

Answer. The United States should pursue arms control measures with Russia and China that advance the security of the United States, U.S. allies, and partners. While there may be opportunities for trilateral initiatives that meet this criterion, I believe the United States should engage each country on a bilateral basis as well.

Open Skies

Question. In November of last year, the Trump administration made the reckless decision to withdraw from the Open Skies Treaty, leaving the United States and our allies less secure against Russia. The administration’s decision to abandon the Treaty fits into a broader pattern of discarding arms control and non-proliferation agree-

ments, which has raised deep concerns among our allies about our commitment to their security. I have urged the Biden administration to rejoin the Treaty in a manner consistent with our constitutional structure, but recognize that it will not be easy, and that the Open Skies treaty, while valuable, does not address many of the current security challenges we face from Russia.

- Do you believe the United States should seek to rejoin the Open Skies Treaty?

Answer. I share President Biden's view that it was a mistake to withdraw from the Treaty, notwithstanding Russian compliance issues. Many of our Allies pointed out that none of these compliance concerns impacted the overall operation of the Treaty. That said, leaving a treaty, and rejoining a treaty while Russia continues to violate it are two different things. I understand an interagency review of Open Skies is underway. If confirmed, I look forward to learning more about the internal discussions on the matter.

Question. The State Department and Congress have consistently expressed concerns about Russia's violation of some its treaty obligations; for example, limiting the length of flights over Kaliningrad and restricting flights near Russia's border with Georgia. If the United States decided to rejoin the treaty would the United States insist on resolving these compliance issues?

Answer. The United States has made it quite clear that Russia must return to compliance and that Russia's violations are an important consideration in our review of U.S. policy on the Treaty. I know the administration is committed to effective arms control that advances U.S., Allied, and partner security and will only join agreements that are deemed to be in our security interests. Compliance is an essential consideration in that regard.

Question. If the Biden administration decides not to rejoin the treaty, what steps should we take to reassure our allies that we still seek a European security system based upon transparency and cooperation?

Answer. I know the United States is committed to effective arms control, transparency and confidence building measures that advance U.S., Allied, and partner security. If confirmed, I would continue the ongoing U.S. effort to work closely with our allies in this regard and on a host of broader security issues at NATO and OSCE. These include ongoing efforts to modernize the Vienna Document to strengthen transparency on military activities and increase stability in Europe.

Firearms Export Control

Question. As a candidate, President Biden pledged to return the export control jurisdiction of semiautomatic weapons from the Department of Commerce to the Department of State. As part of "THE BIDEN PLAN TO END OUR GUN VIOLENCE EPIDEMIC", the following commitment was made:

Additionally, Biden will ensure that the authority for firearms exports stays with the State Department, and if needed, reverse a propose rule by President Trump. This will ensure that the State Department continues to block the code use to 3D print firearms from being made available on the Internet.

Just this week, the appeals court for the Ninth Circuit lifted an injunction that prevented the transfer of 3D Printed firearm technical information from also being transferred to the Department of Commerce, whose regulations and ability to control the publication of such information is significantly more limited than that of the State Department's International Traffic in Arms (ITAR) regulations. This is a loosening of controls on these very dangerous "ghost guns".

I am concerned that the Department of State is not doing all it can to fulfill the President's promise to the American People. State has not yet even answered a letter I sent to Secretary Blinken on February 1 on this issue.

- If confirmed, what will you do, specifically, to fulfill the President's campaign promise?

Answer. I share the concerns expressed regarding the unregulated proliferation of "ghost guns." If confirmed, I commit to working, together with my interagency colleagues, to ensure that there are effective controls over the export of information necessary for the manufacture of firearms, or any defense articles, no matter how those items are manufactured.

Question. What options exist in the ITAR or other State authorities to maintain controls on 3D Gun Printing information?

Answer. The Arms Export Control Act provides the President with the authority to designate those items which shall be considered defense articles and defense serv-

ices and to promulgate regulations for the import and export of such articles and services. That authority has been delegated to the Secretary of State, with the concurrence of the Secretary of Defense, in accordance with Executive Order 13637. It is my understanding that the Department conducts regular reviews of the United States Munitions List, in consultation with the Department of Defense and other relevant U.S. government agencies, to ensure that any defense article or defense service designated on the USML provides a critical military or intelligence advantage such that it warrants control under the International Traffic in Arms Regulations (ITAR).

Question. ITAR Sec. 126.2, “Temporary suspension or modification of this subchapter,” states that “[T]he Deputy Assistant Secretary for Defense Trade Controls may order the temporary suspension or modification [emphasis added] of any or all of the regulations of this subchapter in the interest of the security and foreign policy of the United States.”

- Do you construe that passage to mean that you, if confirmed, could direct this Deputy Assistant Secretary to, on a temporary basis, alter the provisions of Category 1 of the ITAR to retain the technical information that enables the 3D Printing of firearms and components?

Answer. Under section 38 of the Arms Export Control Act and Executive Order 13637, the authority to designate defense articles and defense services on the United States Munitions List for the purpose of export and temporary import is delegated to the Secretary of State. If confirmed, I commit to working, together with my interagency colleagues, to control those defense articles and defense services that provide the United States with a critical military or intelligence advantage. In so doing, I will ensure that the United States Munitions List is appropriately revised and updated using the regulatory mechanisms that best clarify the controls and offer the greatest transparency and opportunity for public comment and agency consideration.

Question. Will you do so, if confirmed?

Answer. If confirmed, I will ensure that the United States Munitions List is appropriately revised and updated using the regulatory mechanisms that best clarify applicable controls and offer the greatest transparency and opportunity for public comment and agency consideration.

Compliance with Committee Oversight

Question. The Political-Military Affairs Bureau has refused to provide answers to my questions or those from my staff about their investigative and compliance activities. They have claimed that “it was not the policy or practice” to answer such questions, even to questions concerning whether certain activities are considered “defense services” and subject to licensing. In response, I have initiated a GAO investigation.

- If confirmed, will you continue this policy of blocking the legitimate oversight of this committee, or will you change this “policy and practice”?

Answer. I appreciate the critical role that Congress plays in providing oversight. If confirmed, I will work with Congress to ensure that it is able to effectively perform its oversight activities. In addition, if confirmed, I will seek to maintain the integrity of the Department’s investigations into potential export control violations, which includes pursuing investigations of potential export control violations in a vigorous and timely manner.

CAATSA 231

Question. CAATSA section 231 imposes secondary sanctions on entities that conduct significant transactions with the Russian defense and intelligence sectors. The law has been instrumental in denying billions of dollars to the Russian defense sector, but there was no senior level leadership under the last administration in pushing for full implementation. I expect that to change and that the State Department will renew its diplomatic efforts at every post to ensure that every effort is being made to deter these transactions from taking place.

- Do I have your commitment to reinvigorate the department’s efforts to ensure robust implementation of this law? Do you commit to report back to me on the specific actions taken by the department on CAATSA 231 implementation?

Answer. If confirmed, I commit to full implementation of CAATSA 231 and to ensuring that the Department keeps you and other appropriate Congressional Members fully apprised of our implementation efforts.

Nagorno-Karabakh

Question. Azerbaijan’s use of cluster munitions, rockets, and other such weapons during its attack on Nagorno-Karabakh last fall has increased the need for demining funding there, which the previous administration cut off. In his QFR responses, Secretary Blinken said that he “strongly support[s]” U.S. funding for demining efforts in Nagorno-Karabakh.

- If confirmed, will you support the resumption of U.S. funding for humanitarian demining in Nagorno-Karabakh?

Answer. The administration is deeply concerned by the renewed hostilities between Armenia and Azerbaijan and the ongoing humanitarian needs in and around Nagorno-Karabakh. Secretary Blinken has signaled strong support for funding demining efforts in Nagorno-Karabakh, as well as his intent to work with Congress, international organizations such as the U.N., and our allies and partners to meet humanitarian needs in the region. I understand that the Department is evaluating the needs of affected populations and clarifying practical questions related to the United States’ ability to commit funding and implement programs effectively.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. BONNIE R. JENKINS BY SENATOR JAMES E. RISCH

Question. Do you believe there is a symbiotic connection between nuclear deterrence and arms control?

Answer. Yes, a credible, modern deterrent and arms control should work together to address nuclear threats and increase our security.

Question. Is it your understanding that that the New START Treaty was ratified only after the Obama administration agreed to modernize the nuclear triad and nuclear weapons complex, and that any unilateral reduction of these programs would make the Senate far less likely to ratify future arms control treaties?

Answer. I understand that the Obama administration pursued a combination of diplomacy, arms control, and nuclear deterrence to reduce nuclear dangers. If confirmed, I will provide analysis and advice to the Secretary of State on measures for reducing nuclear dangers, and I will be prepared to consult with members of Congress.

Question. Do you believe that unilateral U.S. reductions in the nuclear triad and the nuclear weapons complex would enable the United States to negotiate with Russia and China from a position of strength?

Answer. I am committed to ensuring the United States maintains an effective, credible and modern deterrent, while simultaneously using arms control to address nuclear threats and increase our security.

Question. Do you believe the President can rejoin the Open Skies Treaty without it being submitted to the Senate for advice and consent per the Treaty Clause of the U.S. Constitution?

Answer. I believe that Congressional authorization would be required for the United States to rejoin the Treaty on Open Skies.

Question. How should Russia’s long-standing and ongoing violation of the Biological Weapons Convention and China’s disinformation surrounding COVID-19 affect our efforts to strengthen U.S. biosecurity initiatives?

Answer. Russia’s Biological Weapons Convention (BWC) violation and the COVID-19 pandemic demonstrate the need to address the full range of biological threats—whether deliberate, accidental, or natural in origin. We must counter known BW programs and, increasingly, organized disinformation efforts. If confirmed, I will work with allies and partners to strengthen the BWC’s ability to manage the risks of dual-use research and advanced biotechnologies and to improve global laboratory biosafety and biosecurity, as well as international preparedness. I will take a clear-eyed approach, recognizing that not all countries will share our goals, and I will work with Global Engagement Center colleagues to counter COVID-19 related and other disinformation campaigns.

Question. How can we best ensure accountability for Russia and Syria’s use of chemical weapons?

Answer. If confirmed, I will seek to work with allies and partners, including through the U.N. and the Organization for the Prohibition of Chemical Weapons

(OPCW), to hold Russia and Syria to account for their repeated violations of the Chemical Weapons Convention (CWC). At the OPCW, the United States supported actions to add two Novichok families to the CWC Annex on Chemicals and to suspend Syria's rights and privileges under the CWC. The United States has also used other measures, including sanctions authorities against Russia and Syria. If confirmed, I will explore further measures to address any violation of the CWC.

Question. Which emerging technologies most threaten strategic stability, and why? How can we best address these technologies?

Answer. I would be most concerned about any technology that undermines the effectiveness of U.S. nuclear forces, especially the credibility of our second-strike capability. The best way to address potential threats is by taking steps to ensure our strategic deterrent remains effective and credible and pursuing arms control that enhances U.S., allied, and partner security.

Question. In your testimony, you reference building "values-based security partnerships." How do you define a values-based security partnership? Do you believe that the U.S. should only pursue security partnerships with liberal democracies?

Answer. As Secretary Blinken has said, the administration's foreign policy will reflect our values and human rights will be at the center. We will stand firm behind our commitments to human rights, democracy, and the rule of law, and our security partnerships are no exception. While the United States will necessarily have security relationships with countries that are not liberal democracies, if confirmed, I will champion values like accountability, transparency, professionalism, and respect for human rights as we engage our security partners and help build their capacity to address shared challenges.

Question. Should the United States re-sign and then ratify the Arms Trade Treaty? Why or why not?

Answer. If confirmed, I support reviewing the implications of decisions taken to date on the Arms Trade Treaty (ATT), both in the United States and in the ATT Conferences of States Parties, to determine the proper relationship of the United States to the Treaty. I believe this review should be situated within a larger evaluation of U.S. policy on conventional arms transfers. The United States is the largest arms exporter in the world, and it is imperative that U.S. transfers of conventional arms are consistent with our laws, values, and interests.

Question. The Obama administration repeatedly declassified the topline number of the total U.S. nuclear stockpile. Russia and China never reciprocated. Would you support declassifying our nuclear stockpile number without any reciprocity by Russia or China today?

Answer. I believe that declassifying topline U.S. nuclear stockpile numbers demonstrates the United States' serious commitment to transparency and confidence building measures that can enable further progress on reducing nuclear risks. If confirmed, I will work to encourage Russia and China to be more transparent. The declassification of U.S. stockpile numbers has not harmed U.S. national security and has shown U.S. leadership in nuclear fora. Others have welcomed our transparency and joined us in calling on Russia or China to do the same.

Question. In your opinion, why does Russia maintain a nuclear-capable missile defense system consisting of 68 nuclear-armed interceptors?

Answer. Despite Moscow's complaints regarding U.S. ballistic missile defense programs and capabilities, it is clear that the Russian Federation also believes in the importance of developing, deploying, maintaining, and modernizing its ballistic missile defense capabilities.

Question. It was a significant concern of the Senate during the ratification of the New START treaty that it not constrain U.S. missile defense. Do you agree it is imperative that the U.S. not commit to arms control agreements that would limit U.S. missile defenses?

Answer. If confirmed, I will continue U.S. support for effective missile defense programs and will only pursue agreements that enhance U.S., allied, and partner security.

Question. The administration has made clear its intent to negotiate another United States-Russia arms control treaty. At the same time, U.S. intelligence leaders have found that Russia now "possesses up to 2,000 such non-strategic nuclear warheads not covered by the New Start Treaty" and now has "dozens of these [non-strategic delivery] systems already deployed or in development". Indeed, 10 years after New START was ratified, Russia's advantage under the treaty is now so pro-

found that, according to Secretary of State Pompeo “[o]nly 45 percent of Russia’s nuclear arsenal is subject to numerical limits.[m]eanwhile, that agreement restricts 92 percent of America’s arsenal.” Do you agree, as expressed in its Resolution of Ratification for New START, that the next arms control treaty between the United States and Russia must include these unconstrained nuclear weapons, and not just so-called strategic nuclear weapons?

Answer. If confirmed, I will work to ensure that we use the time provided by a five-year extension of the New START Treaty to pursue with Russia, in consultation with Congress and U.S. allies and partners, arms control that addresses all Russian nuclear weapons, including novel strategic systems and non-strategic nuclear weapons. Incorporating Russian non-strategic nuclear weapons into arms control is a longstanding and bipartisan U.S. objective.

Question. Russian President Vladimir Putin has proffered a “deployment freeze” on intermediate range missiles in Europe. What is your view on this plan? In your opinion, what are President Putin’s motivations for making this proposal?

Answer. While the United States plans to pursue arms control that addresses all Russian nuclear weapons and engage Russia in strategic stability discussions, we must be clear that Russia’s proposed deployment moratorium proposal, which the administration opposes, would not actually prevent a Russian build-up of ground-launched intermediate-range missiles because Russia has already produced and deployed multiple battalions of the 9M729, including in Western Russia.

Question. Stakeholders are generally disappointed by the results of U.S.-UK and U.S.-Australia Defense Trade Treaties, despite the best efforts of both nations. In your opinion, why have the treaties not fulfilled their promise? What can the State Department or the interagency do to make them more useful?

Answer. I understand that, initially, companies did not take advantage of the U.S.-UK and U.S.-Australia Defense Trade Cooperation Treaties (DTCTs), as they found the requirements for using them to be overly burdensome and costly. Subsequently, many of the benefits envisioned under the DTCTs were superseded by the success of Export Control Reform, which moved many less sensitive items to the more flexible jurisdiction of the Department of Commerce. The Department continues to work closely with U.S. interagency colleagues and our UK and Australian counterparts to pursue novel solutions to defense trade issues.

Question. In your opinion, why did China stop reporting to the IAEA on its plutonium activities and holdings after 2017? What are the potential implications for U.S. security as a result of China’s decision to stop reporting.

Answer. While I cannot speculate on why China stopped reporting, if confirmed, I will call on China to submit its declaration report to the IAEA per Information Circular INFCIRC/549 concerning “Guidelines for the Management of Plutonium.” China’s lack of transparency on nuclear issues is very troubling, and if confirmed I will pursue measures with the PRC that preserve our national security interests.

Question. Given China’s rapidly growing nuclear and conventional military capabilities and pattern of aggression against many of its neighbors, do you believe that China has become over-confident in its ability to control escalation in a conflict? If so, how do you propose the United States deal with that reality.

Answer. I agree that China has increased its aggressive behavior in many spheres, but defer to the Intelligence Community for a specific assessment regarding China’s confidence to control escalation in a conflict.

Question. You have previously advocated for the United States to adopt a No First Use (NFU) policy for nuclear weapons. Do you still hold that view today?

Answer. I understand that the administration is undertaking a review of nuclear policy that will certainly include declaratory policy. I have thought, as many do, that the United States might consider changes to U.S. declaratory policy that could increase stability. I understand that there are varying perspectives on the issue, but I believe most agree that we want to reduce nuclear risks to the United States and our allies and partners. If confirmed, I look forward to working with the interagency and allies and Congress to find the best ways to do this.

Question. The Commander of U.S. Strategic Command, Adm. Charles Richard, recently commented that the exceptions in China’s No First Use policy are “large enough to drive a truck through”. What are your thoughts on the efficacy of China’s No First Use policy? Why would one support a NFU policy for the United States when China’s NFU policy is so ambiguous?

Answer. There is ambiguity over the conditions under which Beijing would act outside of its professed no first-use policy. China's ongoing advances to its nuclear arsenal, from an exploration of low-yield warheads to the development of a launch on warning posture, raise questions regarding China's intent and undermine its claims to seek a minimum nuclear deterrent backed by a no first-use policy. I understand that the administration is undertaking a review of nuclear policy that will include declaratory policy. If confirmed, I will participate in that process and will consult with Congress and our allies on any policies or actions in this area.

Question. Do you believe the United States should adopt a No First Use policy without the same concessions and policy reciprocity from Russia and China?

Answer. I understand that the administration is undertaking a review of nuclear policy that will include declaratory policy. I have thought, as many do, that the United States might consider changes to U.S. declaratory policy that could increase stability. I understand that there are varying perspectives on the issue, but I believe most agree that we want to reduce nuclear risks to the United States and our allies. If confirmed, I look forward to working with the interagency and allies and Congress to find the best ways to do this.

Question. Do you believe that the United States should adopt a Sole Purpose doctrine? How would adopting such a doctrine impact our deterrence options?

Answer. I understand that the administration is undertaking a review of nuclear policy that will certainly include declaratory policy. I have thought, as many do, that the United States might consider changes to U.S. declaratory policy that could increase stability. I understand that there are varying perspectives on the issue, but I believe most agree that we want to reduce nuclear risks to the United States and our allies. If confirmed, I look forward to working with the interagency and allies and Congress to find the best ways to do this, while ensuring that the United States maintains a credible strategic deterrent.

Question. Our extended deterrence commitments to allies in the Indo-Pacific are foundational to U.S. strategy in the region. That has been the case for seven decades. Do you agree that extended deterrence is key to regional stability in the Indo-Pacific, and that the United States must continue to honor, uphold, and strengthen these commitments?

Answer. Yes. Extended deterrence plays a foundational role in advancing U.S. national security objectives in the Indo-Pacific, and our strategic deterrent, including U.S. nuclear forces, underpins extended deterrence. It does so by providing assurance to allies and partners, which are our greatest strategic asset. If confirmed, I would work to ensure, in coordination with the rest of the Biden-Harris administration, that U.S. extended deterrence commitments to U.S. allies remain strong and credible.

Question. How would the adoption of a No First Use policy or a Sole Purpose doctrine impact our extended deterrence commitments? If we weaken or dilute our extended deterrence commitments in the Indo-Pacific, what do you assess would be the impact on the security environment in the region, given the threats from China and North Korea?

Answer. I understand that the administration is undertaking a review of nuclear policy that will include declaratory policy. If confirmed, I will participate in that process and will consult with Congress and our allies on any policies or actions in this area. This administration is committed to reinvigorating and modernizing alliances and partnerships around the world; this includes ensuring U.S. extended deterrence commitments to U.S. allies remain strong and credible.

Question. The PRC currently has thousands of missiles pointed at Taiwan, and Admiral Davidson, commander of U.S. Indo-Pacific Command, has noted that "Taiwan is clearly one of [the PRC's] ambitions. during this decade." How can the United States best support Taiwan's defense against this threat?

Answer. The United States has long maintained our abiding interest in peace and stability in the Taiwan Strait. If confirmed, I commit to maintaining America's rock-solid commitment to Taiwan. The United States will continue to make available to Taiwan the defense articles and services necessary to enable Taiwan to maintain a sufficient self-defense capability, consistent with the Taiwan Relations Act and our "one China" policy. The United States sold nearly \$30 billion worth of arms to Taiwan since 2009, but arms sales alone cannot ensure Taiwan's ability to defend itself. Our expanding security cooperation seeks to encourage Taiwan to prioritize asymmetric capabilities including reserve force reform.

Question. Please describe your views on U.S. export control policies as they relate to China. What types of technologies should we seek to limit or cut off from nefarious end users in China?

Answer. Export controls are a critical tool to counter Chinese President Xi Jinping's strategy to bolster the PRC's military and security services and to challenge U.S. and allied technological leadership. It is imperative that U.S. arms embargo on China remains in place. If confirmed, I will work with the Commerce Department and other Departments, as appropriate, to keep dual-use controls as tight as possible for products and end-users that pose national security concerns, as called for by the Export Control Reform Act of 2018.

Question. Do you believe Huawei and its affiliates should remain on the Entity List? Are there any circumstances under which you would consider recommending the removal Huawei or any of its affiliates from the list?

Answer. I have no reason to believe that Huawei should be removed from the Entity List. Parties are placed on the Entity List for several reasons, including posing a threat to U.S. national security and foreign policy, and the threat that Huawei poses will remain a key factor moving forward. If confirmed, I will work closely with colleagues at the Department of Commerce to prevent U.S.-origin technology from being used in ways that threaten U.S. interests.

Question. Do you agree that it is in our national interest to strengthen our security cooperation with Vietnam, Malaysia, the Philippines, Indonesia, and Thailand? If so, please elaborate. If confirmed, what specific steps will you take to advance security partnerships with these nations, including your views on continuing arms sales, engaging in capacity-building, and cooperating on advanced technology with South and Southeast Asian partner countries facing China's coercion and growing military power?

Answer. It is absolutely in the national interest of the United States to strengthen security cooperation with Vietnam, Malaysia, the Philippines, Indonesia, and Thailand. Security cooperation with these allies and partners is essential to ensuring a free and open Indo-Pacific region, building interoperability and bolstering U.S. force projection, ensuring freedom of navigation and overflight, upholding rule of law, countering transnational crime and terror organizations, responding to natural and humanitarian crisis, and reassuring our allies and partners of U.S. commitment to the region, empowering them to stand up to coercion and malign influence. It also provides opportunities to reinforce our allies' and partners' commitment to the rules-based international order.

If confirmed, I will work to expand engagement with these nations at all levels, including by promoting the United States as the region's security partner of choice and ensuring they have the arms and training capabilities they need to protect and advance our shared interests in the region. I will also seek to deepen and expand our overall defense cooperation with these nations by advancing key foundational defense agreements, which will help enable the transfer of defense articles and establish mechanisms that allow for greater overall defense cooperation.

Question. What is your assessment of the U.S.-Philippine relationship and its importance to U.S. strategy in the Indo-Pacific region more broadly? Do you support continuing a robust security partnership with the Armed Forces of the Philippines, including through appropriate arms transfers consistent with existing U.S. law?

Answer. The alliance with the Philippines is foundational to the U.S. role in the Indo-Pacific, and the relationship is based on shared strategic interests, shared history, culture, and strong connections between our nations. If confirmed, I support continuing our robust security partnership with the Armed Forces of the Philippines. I would ensure that all arms transfers are appropriate and consistent with existing U.S. laws, including the Conventional Arms Transfer Policy, Arms Export Control Act, and the Foreign Assistance Act. In this regard, I would continue the current global policy of reviewing proposed arms sales according to a number of factors, which include: the degree to which the transfer contributes to ally and partner burden-sharing and interoperability in support of strategic, foreign policy, and defense interests of the United States; the recipient's ability to field, support, and employ the requested system effectively and appropriately in accordance with its intended end use; and the risk the transfer may be used to undermine international peace and security or contribute to abuses of human rights. When appropriate, that review includes consultations with Congress and input from DoD and other inter-agency partners.

Question. In your view, can U.S. security partnerships be a force for good in improving human rights conditions in a particular country?

Answer. The President and Secretary Blinken have stated that human rights must be at the center of our foreign policy. Strong U.S. security partnerships around the world come with a multitude of benefits, including the opportunity to positively influence a country's human rights practices. These relationships allow us to work closely with partners, set an example for human rights standards, and provide training, when appropriate.

If confirmed, I will support assistance to help ensure our partner forces are taking steps to comply with international law and protect human rights. Additionally, I will work to ensure human rights concerns are given full weight in arms transfer decisions, and I will support the Leahy laws, which prohibit assistance to foreign security forces units that are credibly implicated in gross violations of human rights.

Question. Will you ensure that the U.S. Department of State consults with Congress before taking action on issues that could jeopardize U.S. access to or create significant tensions in our relationships with key defense partners in the Indo-Pacific, especially those in Southeast Asia?

Answer. If confirmed, I commit to ensuring that the Department engages with Congress, as appropriate, on actions affecting our security partnerships.

Question. What is your understanding of the Russian Federation's nuclear doctrine and how it may be enacted in practice? Which aspect of Russia's nuclear doctrine do you find potentially most problematic for U.S. defense and strategy?

Answer. If confirmed, I will consult with the U.S. intelligence community on Russian nuclear policy, strategy, doctrine, and forces. It is clear that Russia has a large arsenal of up to 2,000 non-strategic nuclear weapons that is projected to grow. It has developed a wide range of new dual-capable ground-, sea-, and air-based short- and intermediate-range missile systems. Such weapons can range U.S. allies and partners in Europe and East Asia—as well as U.S. forces stationed there—and both our deterrence strategy and our approach to arms control must address these threats.

Question. Which of the Russian Federation's new, so-called "exotic" weapons systems do you find the most geostrategically concerning? Please enumerate your specific concerns and explain why this system worries you more than the others.

Answer. If confirmed, I will consult with the U.S. intelligence community on Russia's "exotic" weapon systems and I will engage with the Department of Defense on the military implications of these systems. Based on the unclassified information that is available, the nuclear-powered, nuclear-armed cruise missile appears to be volatile, unreliable, and dangerous, posing a threat to the entire world, including Russia.

Question. It is likely that Russia has placed nuclear weapons in Kaliningrad, and there is great concern that they may do the same in occupied Crimea. How should the U.S. respond, if at all, should Russia place nuclear weapons in Crimea? Would that action, in your view, dramatically change the way that the U.S. looks at Black Sea security?

Answer. If confirmed, I will consult with the U.S. intelligence community on the location of Russian theater-range nuclear weapons and I will engage with the Department of Defense on the military implications of Russia's nuclear posture.

Question. The Global Peace Operations Initiative (GPOI) was founded in 2005. Over the last 15 fiscal years, GPOI has received almost \$1.3 billion in funding. This funding has accomplished several objectives, including building self-sufficient peace operations training, supporting partner country development, enhancing partner country operational readiness, and expanded the participation, integration, and leadership women in peace operations, to name a few.

- GPOI has improved the capacity and operations of U.N. peacekeeping forces in Africa and globally. Please describe the efforts you will take to continue to integrate women into GPOI's work in both peacekeeping troops and in leadership positions in peacekeeping missions.

Answer. If confirmed, I will support GPOI's continued work to increase the meaningful participation of women in peace operations by promoting efforts to: encourage partners to increase recruitment, training, and deployment of women in all levels and aspects of peace operations—including in leadership and decision-making positions; train women peacekeepers; incorporate women, peace, and security (WPS) topics into peacekeeping training for all peacekeepers; invest in gender-responsive upgrades at partner countries' training centers, including female barracks and latrines; and support the U.N.'s development of WPS training materials.

Question. GPOI provides critical training to partner countries looking to deploy peacekeepers, which includes topics like preventing sexual exploitation and abuse (SEA), violence against women, as well as technical training. Given the high number of instances of SEA committed by peacekeeping troops globally, how would you direct GPOI to enhance trainings to counter these occurrences?

Answer. If confirmed, I will direct GPOI to pursue activities that enhance existing SEA prevention and accountability training incorporated into pre-deployment training assistance. I will also support GPOI's joint efforts with the U.N. to launch a training-of-trainers course for National Investigation Officers who investigate allegations of SEA against military peacekeepers, as well as to fund a U.N. pilot course to train engagement platoons, at least half of which are women, to interact with the local population, identify vulnerable areas and at-risk populations, and conduct gender-responsive assessments to improve situational awareness.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. BONNIE R. JENKINS 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. My entire professional life has been dedicated to public service, often in direct promotion of human rights and democracy. For example, while at the Ford Foundation, I oversaw the funding of activities, programs and research on issues of human rights and democracy in my role as Program Officer of U.S. Foreign and Security Policy, and approved joint funding with the Human Rights officer. In addition, I also had a pool of funds for organizations doing work in the area of "conflicts," where the funds went to the issues of child soldiers, women in peacekeeping, and the problem of illicit trafficking of diamonds and its negative effects. At Women of Color Advancing Peace, Security and Conflict Transformation, of which I am now the Executive Director, I have started a working group on Human Rights to host events and activities on issues of human rights. I am also engaged in several activities at the U.S. Institute of Peace, including serving on the Women Building Peace Council. Finally, my 22 years in the Air Force and Naval Reserves have been dedicated to promoting democracy both in the U.S. and internationally.

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. My commitment to public service has always included advancing opportunities for all Americans. Fostering diversity and inclusion in the national security workforce is incredibly important to me personally, and I strongly support President Biden's policy of prioritizing diversity, equity, inclusion, and accessibility as a national security imperative to ensure critical perspectives and talents are represented in the national security workforce. If confirmed, I commit to working with the new Chief Diversity and Inclusion Officer, the Bureau of Global Talent Management, the Secretary's Office of Civil Rights, and other Department leadership to foster an inclusive workplace in the T family so that every employee's contribution is valued. If confirmed, I will hold T family senior leadership accountable for the conduct of their teams and for promulgating an environment where each individual is heard and seen.

Question. Fighting corruption is one of the most important ways that we can promote democracy and human rights worldwide. What steps would you take to address global corruption within the role for which you are nominated?

Answer. If confirmed, I commit to working with experts across the Department and interagency to promote and defend democracy. Through the targeted deployment of accountability tools, foreign assistance, and diplomatic engagement, we can address endemic corruption and human rights abuses. I will also prioritize working with allies, seeking opportunities to promote our shared ideals together.

Question. Do you commit to work with Congress to strengthen U.S. policies to combat global corruption?

Answer. Yes. If confirmed, I will commit to working with Congress to strengthen U.S. policies, to the extent that my portfolio allows, to combat global corruption, in-

cluding efforts to improve global standards of transparency, accountability, and good governance.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO HON. BONNIE R. JENKINS BY SENATOR MARCO RUBIO

China

Question. Do you agree that Chinese state-directed Huawei is a threat to U.S. and global security?

Answer. Yes. Telecommunications equipment made by untrusted vendors, including Huawei, is a threat to U.S. and global security. Allowing untrusted telecommunications suppliers to participate in or control any part of a 5G network creates unacceptable risks to critical infrastructure, privacy, and human rights. In addition, the Chinese Government provides significant support to Huawei, including through subsidies and coercive tactics against host governments, that unfairly disadvantages market-based rivals. Huawei's history of unethical and unlawful behavior, including intellectual property theft, compounds the national security risks that it poses.

Question. Do you commit to use your position to oppose any measure to remove Huawei from the Commerce Department Entity List, including any measure to water down or provide licenses under that listing or the Foreign Direct Product Rule?

Answer. I have no reason to believe that Huawei should be removed from the Entity List. If confirmed, I will work closely with colleagues at the Department of Commerce to prevent U.S.-origin technology from being used in ways that threaten U.S. interests.

Question. On January 15, 2021, the State Department issued a fact sheet on activity at the Wuhan Institute of Virology, which raised the possibility that the COVID-19 epidemic could have emerged from a laboratory accident. Do you agree that this is possible?

Answer. Yes, my understanding is that a range of possibilities exist, including the possibility of a laboratory accident. I believe that the full range of these possibilities should be considered. I understand that the Biden-Harris administration supports a robust and transparent investigation into the origins of the COVID-19 pandemic. An impartial public health investigation, based on science, is vital to protecting against future health security threats.

Question. If confirmed, can you commit that the administration will take steps to investigate the origins of COVID-19, including pressing for a full forensic investigation of the labs in question?

Answer. The Biden-Harris administration has been clear about its concerns with the PRC's lack of transparency regarding the pandemic, including Beijing's refusal to provide the international health community timely and full access to data, scientists, records, and samples. This information is essential to our full understanding of the origins of the virus and how it spread. If confirmed, I am committed to providing the appropriate diplomatic and technical support to any relevant efforts as they relate to my portfolio.

Question. Are you concerned about China's development of biological and chemical weapons? If confirmed, how do you plan to address these issues?

Answer. In 2021, the State Department's Compliance Report found that the PRC engaged in biological activities with dual-use applications, which raises concerns regarding its compliance with Article I of the BWC. The report also noted uncertainty regarding the status of China's assessed historical biological warfare program. This year's Condition 10(c) report raised similar concerns related to chemical activities that prevented the U.S. from certifying the PRC's compliance with its obligations under the Chemical Weapons Convention. I understand that the U.S. was unable to engage with the PRC on these issues in 2020 due to COVID-19 travel restrictions and the PRC's unwillingness to meet virtually. If confirmed, I will continue efforts to address these concerns, including in bilateral meetings.

Nuclear Posture Review (NPR)

Question. If confirmed, would you advise the Biden administration in the next nuclear posture review to return to language closer to the 2010 NPR?

Answer. The Biden-Harris administration is undertaking a review of nuclear policy that will certainly include declaratory policy. If confirmed, I will participate in that process and will consult with Congress and our allies on any policies or actions in this area.

Question. Do you believe that the United States nuclear posture is also critical for our allies and partners?

Answer. Yes. Extended deterrence plays a foundational role in advancing U.S. national security objectives, and our strategic deterrent, including U.S. nuclear forces, underpins extended deterrence. It provides assurance to allies and partners, which are our greatest strategic asset. The Biden-Harris administration is committed to reinvigorating and modernizing our alliances and partnerships around the world; this includes ensuring our extended deterrence commitments to our allies remain strong and credible.

Question. Do you believe that the United States nuclear arsenal is an effective deterrent against the use of these non-nuclear weapons against our allies?

Answer. All U.S. military capabilities contribute to extended deterrence commitments to U.S. allies. The Biden-Harris administration is undertaking a review of nuclear policy that will certainly include declaratory policy. If confirmed, I will participate in that process and will consult with Congress and our allies on any policies or actions in this area.

Question. The Obama administration declassified the topline number of the total U.S. nuclear stockpile. However, Russia and China never reciprocated. Would you support declassifying our nuclear stockpile number without any reciprocity by Russia or China?

Answer. I believe that declassifying topline U.S. nuclear stockpile numbers demonstrates the United States' serious commitment to transparency and confidence building measures that can enable further progress on reducing nuclear risks. If confirmed, I will work to encourage Russia and China to be more transparent. The declassification of U.S. stockpile numbers has not harmed U.S. national security and has shown U.S. leadership in nuclear fora. Others have welcomed our transparency and joined us in calling on Russia or China to do the same.

North Korea

Question. Do you agree that the only path forward for North Korea that the U.S. could accept is the complete, irreversible, verifiable, denuclearization of North Korea?

Answer. North Korea's unlawful weapons of mass destruction and ballistic missile programs constitute serious threats to international peace and security and the global nonproliferation regime. The Biden-Harris administration recently completed a comprehensive review of U.S. policy towards North Korea that reiterates the goal of complete denuclearization of the Korean Peninsula. If confirmed, I look forward to supporting the administration's efforts to pursue calibrated and practical diplomacy with North Korea, in close consultation with our allies and partners, in order to increase the security of the United States, our allies, and our deployed forces.

Question. If confirmed, what steps would you take to ensure that the voices of North Korean defectors are included in negotiations of any agreement with North Korea?

Answer. I am deeply concerned about North Korea's egregious human rights record and how to promote respect for human rights in the closed country. If confirmed, I will be committed to placing human rights at the center of our foreign policy with North Korea and to integrating the voices of the North Korean defector community into our approach, including by meeting with North Korean escapees to hear their thoughts and recommendations.

Russia

Question. Do you agree that Russia was in violation the Treaty on Open Skies?

Answer. Yes, Russia has violated, and continues to violate, the Treaty on Open Skies. I am not aware that Russia has taken any action to return to compliance. As stated in the most recent compliance report, Russia has not rescinded its illegal 500-kilometer sublimit over Kaliningrad. Russia also remains in violation for refusing to allow observation flights to approach within 10 kilometers of its border with the Georgian regions of South Ossetia and Abkhazia. While not a violation, Russia has also declared an airfield in Crimea as a Russian Open Skies refueling airfield, in an attempt to politicize the treaty.

Question. Do you agree that Russia's abuses the Open Skies Treaty and its actions posed an unacceptable risk to our national security?

Answer. In my view, while concerning, Russia's violations of the Treaty on Open Skies by themselves do not pose a direct and immediate threat to our national security. Russia's use of the treaty to collect information on military and civilian infrastructure, while not prohibited by the treaty, could pose a risk, although I understand there are measures in place to mitigate that risk.

Question. Russia has been implicated in the use of chemical weapons on several different occasions in the last several years, including assassination attempts. What should be done to counter Russia's use of chemical weapons and its violations of the Chemical Weapons Convention (CWC)?

Answer. Russia's use of chemical weapons in assassination attempts against not only Sergei Skripal and his daughter, but also Aleksey Navalny, is reprehensible. In response to these attacks, the United States exercised its sanctions authorities and imposed other measures to send a clear signal that Russia's use of chemical weapons and abuse of human rights have severe consequences.

At the OPCW, the United States has worked with allies and partners to address Russia's violation of the Chemical Weapons Convention, including submitting a technical change proposal to add two families of Novichoks to the CWC Annex on Chemicals, which the OPCW Conference of the States Parties adopted in 2019.

If confirmed I will work within the administration to take steps to deter Russia's use of chemical weapons, including engaging Russia bilaterally and multilaterally as well working with allies and partners at the OPCW Executive Council and Conference of the States Parties, and in U.N. fora, including the Security Council. If confirmed, I will explore further measures to address Russian non-compliance with the CWC. There can be no impunity for the use of chemical weapons.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. BONNIE R. JENKINS BY SENATOR EDWARD J. MARKEY

Question. For all of the missteps in converting the Singapore Summit Communique that President Trump agreed to with Chairman Kim Jong Un in 2018 into meaningful action, it did lay out a useful framework that committed the two countries to work towards better relations, cooperate on the return of Prisoner of War remains, and work towards peace and denuclearization on the Korean Peninsula. Given the reality that any full denuclearization agreement is a long term endeavor, will you support efforts that make progress on the other elements agreed to in Singapore, provided such actions are in concert with U.S. allies and partners, and achieve the objective of lessening the nuclear weapons threat from North Korea as well as the threat of war?

Answer. North Korea's unlawful weapons of mass destruction and ballistic missile programs constitute serious threats to international peace and security and the global nonproliferation regime. I understand that the administration recently completed a comprehensive review of U.S. policy towards North Korea that both reiterates the goal of complete denuclearization of the Korean Peninsula and seeks to build on the Singapore Summit commitments. If confirmed, I look forward to supporting the administration's efforts to pursue calibrated and practical diplomacy with North Korea, in close consultation with our allies and partners, in order to increase the security of the United States, our allies, and our deployed forces.

Question. I understand the total number of Washington DC-based full-time equivalents in the Bureau of Arms Control, Verification, and Compliance as of January 2017 was 113. The number of Washington DC-based FTEs as of late 2019 in the AVC Bureau was 94. In 2014, the Office of Inspector General reported 48 percent of the AVC workforce would be eligible to retire by 2019. If confirmed, what actions will you take to address the large number of FTEs eligible to retire, how can the "T cone" prioritize recruitment and hiring of diverse candidates, and what additional flexible hiring authorities—if any—does the Department need to fill this gap?

Answer. Rebuilding the Bureau of Arms Control, Verification and Compliance is one of my top priorities. If confirmed, I will exercise the Excepted Service Appointment Authority to bring in a diverse cadre of arms control experts. Diversity is the key to unlocking an organization's potential because diverse teams consistently demonstrate high performance due to their creativity and innovation. The Department must rebuild the AVC workforce and ensure it is well-equipped to address the dan-

gers posed by chemical, biological, radiological, and nuclear weapons, and their delivery systems. If confirmed, I commit to uphold and fully implement the Department's leadership and management tenets, including support for diversity and inclusion, to strengthen teams across the T family of bureaus.

Question. Has the President provided any guidance to the Departments of State, Defense, and any other agencies, detailing his instructions for a review of U.S. nuclear policy and posture? If so, approximately when will that review be completed?

Answer. I understand that the President has directed his administration to conduct reviews of various nuclear policies. In accordance with the Biden administration's Interim National Security Strategic Guidance, the administration will take steps to reduce the role of nuclear weapons in the U.S. national security strategy, while ensuring the U.S. strategic deterrent remains safe, secure, and effective and that U.S. extended deterrence commitments to U.S. allies remain strong and credible. In that process, the administration will consult with U.S. allies and partners, including those in the Indo-Pacific, as well as with Congress.

Question. The United States is not one of the 164 States Parties to the Mine Ban Treaty, also known as the Ottawa Convention, which bans the production and stockpiling of anti-personnel landmines. President Trump opened up the geographies where the United States can use landmines provided they have a self-destruct mechanism, which superseded an Obama administration policy which narrowed persistent landmine use to the Korean Peninsula. The Biden administration has yet to rescind the permissive Trump administration-era policy. When confirmed, can you commit to advocate as the head of the "T cone" for President Biden to adopt a U.S. policy that brings us closer in line with the obligations under the Ottawa Convention? Additionally, will you support a robust budget request for de-mining activities in conflict zones?

Answer. As Ambassador Thomas-Greenfield noted last month, "President Biden believes we need to curtail the use of landmines. [L]et me speak plainly: President Biden has been clear that he intends to roll back [the Trump administration] policy, and our administration has begun a policy review to do just that." If confirmed, I will commit to supporting the administration's landmine policy review and will advocate for a clear and explicit role for the State Department in any future policy on landmines. I also will commit to consult with experts inside and outside of the Department, and with you in Congress, on the question of whether and how the United States should bring its policies closer in line with the provisions of the Ottawa Convention.

Thanks to bipartisan Congressional support, the United States has been the world's leader in fighting proliferation by safely destroying at-risk conventional weapons and saving lives by clearing of landmines and other explosive hazards for more than 25 years.

Question. The Biden administration is currently undertaking a global sanctions review to ensure that U.S. and multilateral sanctions do not inadvertently prevent humanitarian aid from getting to those in need. While food and medicine is exempt under U.S. and U.N. sanctions, aid workers are often forced to navigate massive red tape just to bring laptops to North Korea, which are considered "luxury goods," or even treatments for drug resistant tuberculosis. If confirmed, can you commit to work with interested Members to make practical changes to the implementation of existing exemptions to U.S. sanctions and seek additional exemptions in the U.N. Security Council Sanctions Committee of items related to providing life-saving assistance to North Koreans?

Answer. Sanctions are in place to address the threat posed by North Korea, including its ability to continue developing its nuclear and ballistic missile programs. The U.S. Government maintains a number of sanctions exemptions and authorizations related to humanitarian aid, and has also led efforts to streamline the process for humanitarian exemptions in the U.N. sanctions committee. North Korea itself has created the most significant barriers to the delivery of aid by closing its borders and limiting access for the personnel responsible for implementing such projects. If confirmed, I will work to support efforts aimed at helping humanitarian aid reach the people of North Korea.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
 SUBMITTED TO HON. BONNIE R. JENKINS BY SENATOR ROB PORTMAN

Question. The position of arms control and international security is one of paramount importance to our nation's defense. Both Russia and China have made strides in their own force modernization and we must take steps to ensure that our adversaries are in compliance with existing arms control agreements while we look to new initiatives as well.

New START and U.S. Nuclear Force Modernization: In January 2021, the Biden administration agreed to an extension of the NEW Start treaty for a period of five years, while committing to pursue new arms control agreements with both Russia and China. As you are aware, New START does not limit non-strategic nuclear warheads which are a growing concern as Russia outnumbers the United States 10-1 in this category. China is on pace to more than triple its nuclear force in the coming decade. Clearly, more work is needed to ensure that our adversaries do not outpace U.S. capabilities in this space.

- The Obama administration in 2010 committed to Congress that it would address the disparity between the United States and Russia regarding non-strategic nuclear warheads, however several administrations have failed to make progress. What actions will you take, if confirmed, that will address this disparity?

Answer. If confirmed, I will seek to ensure that we use the time provided by a five-year extension of the New START Treaty to pursue with Russia, in consultation with Congress and U.S. allies and partners, arms control that addresses all Russian nuclear weapons, including novel strategic systems and non-strategic nuclear weapons. Incorporating Russian non-strategic nuclear weapons into arms control is a longstanding and bipartisan U.S. objective.

Question. Both Russia and China are in the process of expanding, diversifying, and modernizing its nuclear arsenals. The United States is just beginning this effort. Do you believe that a modernization of the U.S. Triad is necessary to negotiate from a position of strength?

Answer. A credible, modern deterrent and arms control should work together to address nuclear threats and increase our security.

Question. Do you believe that a unilateral reduction of our nuclear forces endangers U.S. national security?

Answer. I would never support any reductions in nuclear forces that endanger U.S. national security, but I do not believe that any type of reduction would automatically undermine U.S. and allied security.

Question. Iran's Ballistic Missile Program and the Abraham Accords: Iran's ballistic missile program and armed drones, including proliferation of these technologies to terrorist organizations, are increasingly becoming a regional threat in the Middle East. The continued threat from Iran is just one of the many reasons why many neighbors of Israel decided to sign normalization agreements such as the Abraham Accords last year.

Last month, I introduced a bill called the Israel Relations Normalization Act with Senator's Booker, Cardin, Risch, and Young, to require the Department of State to expand and strengthen these normalization agreements.

- Do you support these normalization agreements as a means to strengthen security in the region and pledge, if confirmed, to pursue additional normalization agreements?

Answer. As President Biden and Secretary Blinken have said, this administration welcomes and strongly supports the recent normalization agreements between Israel and countries in the Arab and Muslim world. I understand that the Department is leading the U.S. Government's efforts, working with the National Security Council and U.S. Government interagency, to deepen existing agreements and urge other countries to normalize relations with Israel. If confirmed, I will look for other opportunities to expand cooperation among countries in the region, which is critical to strengthening regional security.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
 SUBMITTED TO HON. BONNIE R. JENKINS BY SENATOR JOHN BARRASSO

Question. In April 2019, President Trump notified the Senate that he had decided to withdraw the United Nations Arms Trade Treaty from the Senate and requested the Senate return the treaty to the President. The United States notified the United Nations Secretary General that the “United States does not intend to become a party” to the United Nations Arms Trade Treaty despite its signature, adding that the United States “has no legal obligations arising” from its treaty signature.

- What is the current status of the United States with regards to the United Nations Arms Trade Treaty?

Answer. On December 9, 2016, the Department transmitted the Arms Trade Treaty (ATT) to the Senate for its advice and consent to ratification. On July 18, 2019, the Trump administration informed the Treaty Depository that the United States did not intend to become a State Party to the Treaty and that the United States had no legal obligations arising from its signature. The United States is participating in ATT meetings as an observer to protect U.S. national security interests, economic interests, and industry equities.

Question. Based on your knowledge and experience in this field, what position have you formulated on whether the United States should ratify the United Nations Arms Trade Treaty?

Answer. If confirmed, I support reviewing the implications of decisions taken to date on the Arms Trade Treaty (ATT), both in the United States and in the ATT Conferences of States Parties, to determine the proper relationship of the United States to the Treaty. I believe this review should be situated within a larger evaluation of U.S. policy on conventional arms transfers. The United States is the largest arms exporter in the world, and it is imperative that U.S. transfers of conventional arms are consistent with our laws, values, and interests.

Question. Have you ever supported, implicitly or explicitly in writing or in speech, the United States joining the United Nations Arms Trade Treaty? Please provide details.

Answer. To the best of my recollection, I have not made any statement on the issue of the United States joining the U.N. Arms Trade Treaty.

Question. What changes to our nation’s policies, regulations, or laws would be needed to comply with the United Nations Arms Trade Treaty?

Answer. It is my understanding that the United States would not need to change any policies, regulations, or laws to comply with the Arms Trade Treaty. U.S. national control systems and practices to regulate the international transfer of conventional arms already meet or exceed the requirements of the Treaty.

Question. The United States Constitution protects the rights of Americans to keep and bear arms. The Arms Trade Treaty would infringe on the second amendment. Article 12 of the Arms Trade Treaty encourages countries to maintain records on the importation of conventional arms including small arms. It specifically requests that states maintain records on the quantity, value, model/type and end user. These records must be maintained for a minimum of ten years. Article 13 requires signatory states to issue annual reports to the United Nations on all imports and exports.

- Do you support the United Nations establishing and maintaining a gun registry on law abiding U.S. gun owners?

Answer. No. If confirmed, I will not support the United Nations establishing and maintaining a gun registry on law-abiding U.S. gun owners. The Arms Trade Treaty (ATT) establishes standards for regulating only the international trade in conventional arms, not domestic trade or possession. The ATT does not touch on purely domestic arms transfers or private ownership, which are matters of national sovereignty.

Question. China is modernizing and expanding its nuclear forces. U.S. intelligence analysts estimate that China could double its nuclear warheads in the next decade.

- How is China modernizing and expanding its nuclear arsenal?

Answer. During this decade, the People’s Republic of China (PRC) is likely to more than double the size of its nuclear stockpile. According to open-source reporting I have read, this rapid expansion includes new delivery systems as Beijing works to establish a nuclear triad, which will include a long-range stealth bomber, new road-mobile ICBMs, multiple-warhead silo-based ICBMs, and a growing fleet of ballistic missile submarines. The PRC also appears to be working on hypersonic-

glide vehicles, air-launched ballistic missiles, and low-yield nuclear weapons that will fit into this nuclear triad. The PRC is also making additional advances toward developing a launch-on-warning posture.

Question. What is the projected size and composition of China’s strategic nuclear forces by 2026 when the New START would expire?

Answer. During this decade, the People’s Republic of China (PRC) is likely to more than double the size of its nuclear stockpile. Precisely because Beijing is the least transparent member of the P5 nuclear weapon states, accurate assessments of its nuclear trajectory and intentions are difficult. I defer to the intelligence community for a specific assessment on the projected size and composition of China’s nuclear forces in 2026.

Question. Secretary of State Blinken noted his intent to “pursue arms control to reduce the dangers from China’s modern and growing nuclear arsenal.” China has so far refused U.S. efforts to engage in arms control negotiations.

- What specific steps would you take to reduce the dangers posed by China’s modern and growing nuclear arsenal?

Answer. If confirmed, I will work within the administration, in consultation with U.S. allies and partners, to pursue arms control measures to reduce the dangers from the People’s Republic of China’s growing nuclear arsenal. It is to be hoped that Beijing will come to see that arms control is in its security interest: not a trap designed to weaken China’s defenses, but rather a mechanism to reduce risk and the chances of uncontrollable arms races. If confirmed, I commit to consulting with Congress regarding the arms control approach the administration foresees pursuing with China.

Question. What specific leverage does the United States have to force China to participate in future arms control negotiations?

Answer. If confirmed, I will work within the administration, in consultation with U.S. allies and partners, to pursue arms control measures to reduce the dangers from the People’s Republic of China’s growing nuclear arsenal. It is to be hoped that Beijing will come to see that arms control is in its security interest: not a trap designed to weaken China’s defenses, but rather a mechanism to reduce risk and the chances of uncontrollable arms races, which is in the interest of both our countries. If confirmed, I will seek to work with U.S. allies and partners to urge Beijing to engage meaningfully with the United States on arms control, as doing so is essential to reducing global nuclear risks.

Question. Has the United States ever effectively used the leverage you mentioned in question 8? Please provide details.

Answer. As I understand, the People’s Republic of China has thus far resisted engaging with the United States in any meaningful nuclear arms control discussions. If confirmed, I will work with the administration, along with U.S. allies and partners to regularly urge Beijing to engage meaningfully with the United States on arms control. Doing so is essential to reducing global nuclear risks.

Question. There is a very large disparity regarding non-strategic nuclear weapons, also known as tactical nuclear weapons. During the New START debate, there were a number of Senators including myself who were extremely concerned that the treaty did not include tactical nuclear weapons. The New START Resolution of Ratification specifically provided the President was to address the massive disparity in the tactical stockpiles prior to contemplating further reductions in the strategic arsenal.

- Can you assure the United States Senate that the next arms control agreement with Russia will focus on the massive numerical advantage Russia has over us and our allies in tactical nuclear weapons rather further reductions in the strategic arsenal?

Answer. If confirmed, I will work to ensure that we use the time provided by the five-year extension of the New START Treaty to pursue with Russia, in consultation with Congress and U.S. allies and partners, arms control that addresses all Russian nuclear weapons, including novel strategic systems and non-strategic nuclear weapons. Incorporating Russian non-strategic nuclear weapons into arms control is a longstanding and bipartisan U.S. objective.

Question. For more than six decades, the United States has employed an effective and credible nuclear deterrent. The U.S. nuclear triad is made up of the land-based intercontinental ballistic missiles (ICBMs), ballistic missile submarines (SSBNs) and nuclear-capable heavy bomber aircraft. All three legs of the triad work hand-in-hand

to deter our adversaries and reassure our allies and partners. It provides weapon systems that are survivable, stabilizing and flexible.

- Please describe how each leg of the U.S. nuclear triad contributes to the effective and credible nuclear deterrent?

Answer. SSBNs are the most survivable leg of the nuclear triad. Nuclear-capable bombers are the most flexible. ICBMs are the most responsive and contribute to deterrence by requiring an adversary to exhaust a large number of warheads to destroy a smaller portion of the U.S. deterrent.

Question. Based on your expertise, are ICBMs on “hair trigger” alert or are they safe and secure?

Answer. In overall terms, U.S. ICBMs are not on “hair trigger” alert. U.S. nuclear forces are safe and secure as the United States maintains multiple redundant technical and procedural measures in place to prevent the unauthorized or accidental launch of U.S. missiles. I defer to the Department of Defense to discuss the specifics.

Question. Do you believe the ground based strategic deterrent will start an arms race with Russia and China?

Answer. No, replacing elements of the U.S. nuclear triad will not cause an arms race. If confirmed, I will work with the administration to head off costly arms races and re-establish U.S. credibility as a leader in arms control. I will also work to pursue new arms control agreements and arrangements by engaging in meaningful dialogues with Russia and China on a range of emerging military technological developments that implicate strategic stability.

Question. All three legs of the U.S. nuclear triad are required to maintain a reliable, credible and effective deterrent. This is especially true as Russia continues to modernize its nuclear forces and China is increasing its nuclear forces in an attempt at nuclear parity.

- Have you ever expressed, implicitly or explicitly in writing or in speech, support for eliminating any leg of the nuclear triad? Please provide details.

Answer. To the best of my knowledge, I have not made any statement saying that any leg of the nuclear triad should be eliminated.

Question. Based on your knowledge and background, what is your position on the United States modernizing our ICBMs with the Ground Based Strategic Deterrent, our submarines with the Columbia class, and our bombers with the B-21 Raider?

Answer. A credible, modern deterrent and arms control should work together to address nuclear threats and increase our security. If confirmed, I will review each element of the current modernization program during the course of the Nuclear Posture Review, and I will advise that the United States undertake the modernization necessary to sustain a credible strategic deterrent.

Question. Have you ever supported, implicitly or explicitly in writing or in speech, any delay or budget cuts related to or the elimination of any of the U.S. nuclear modernization programs? Please provide details.

Answer. To the best of my knowledge, I have not explicitly supported any delay or budget cuts to, or elimination of, the modernization program. I have asked questions about the total amount of funding that will be spent on the modernization program.

Question. What specific steps will you take to advocate for modernization of the U.S. nuclear program?

Answer. The United States will ensure its strategic deterrent remains safe, secure, and effective. If confirmed, I will advise that the United States undertake the modernization necessary to sustain a credible strategic deterrent.

Question. On December 4, 2019, you retweeted a post from PSR Nuclear Weapons Abolition supporting the United States adopting a no first use of nuclear weapons policy.

- Please explain why you support the United States adopting a “no-first use” policy.

Answer. I understand that the administration is undertaking a review of nuclear policy that will certainly include declaratory policy. I have thought, as many do, that the United States might consider changes to U.S. declaratory policy that could increase stability. I understand that there are varying perspectives on the issue, but I believe most agree that we want to reduce nuclear risks to the United States and our allies and partners. If confirmed, I look forward to working with the interagency and allies and Congress to find the best ways to do this.

Question. As our country continues to face threats from around the world, we should not take any action that will hinder our missile defense options. The United States must always remain in charge of our missile defense, not Russia or any other country. I have concerns about the efforts of Russia to limit our missile defense and actions the Obama administration took on this issue.

- Can you commit to me that, in any arms control discussions with Russia for which you are responsible, the United States will never agree to any limitation on our missile defense programs?

Answer. If confirmed, I will continue U.S. support for effective missile defense programs and will only pursue arms control agreements that enhance U.S., allied, and partner security.

Question. President Putin announced Russia’s development of new strategic nuclear weapons. The weapons include a nuclear powered cruise missile, a nuclear powered underwater drone that could be armed with a nuclear warhead, and a hypersonic missile. President Putin declared that these new additions to Russia’s strategic nuclear arsenal would render U.S. missile defense “useless.”

- How would you ensure the new weapons are covered under Russia’s treaty and arms control obligations?

Answer. The New START Treaty limits Russia’s Avangard hypersonic glide vehicle and will limit the Sarmat heavy ICBM at the appropriate point in its development cycle. If confirmed, I will work to ensure that we use the time provided by the five-year extension of the New START Treaty to pursue with Russia, in consultation with Congress and U.S. allies and partners, arms control that addresses all Russian nuclear weapons, including novel strategic systems and non-strategic nuclear weapons.

Question. Does the United States have a current or prospective missile defense system to intercept these weapons? If not, what specific actions would you recommend the U.S. Government take to respond to and counter these new strategic nuclear weapons?

Answer. If confirmed, I look forward to working with the Department of Defense to better understand their capabilities to deter, and if deterrence fails, defend against, attack from the novel strategic systems being developed by the Russian Federation. If confirmed, I anticipate working closely with the Department of Defense to review U.S. capabilities to ensure the United States has robust capabilities to deter, and if deterrence fails, defend against, attacks on the U.S. Homeland and to examine ways that our allies can contribute to enhancing U.S. national security.

Question. During your testimony, you discussed pursuing deeper cuts to our nuclear weapons systems.

- At a time when Russia and China are modernizing their nuclear weapons, would you advocate for the United States to make unilaterally cuts to our nuclear deterrent?

Answer. If confirmed, I will review all relevant information on specific programs during the course of the Nuclear Posture Review and report my conclusions back to the committee. Prior to the review, it would be premature to speak to the sizing, including possible reductions, of U.S. forces.

Question. The U.S. withdrew from the Intermediate-Range Nuclear Force Treaty (INF), the Open Skies Treaty and the Joint Comprehensive Plan of Action. You opposed the United States withdrawing from each of these international agreements.

- Given your tweet confirming your statement that U.S. actions to withdraw from the INF treaty undermines global security, what is your view on whether the United States should rejoin the INF treaty?

Answer. As the INF Treaty terminated upon the U.S. withdrawal, it is not possible to re-enter it. I agree with NATO’s August 2, 2019, statement that “Russia bears sole responsibility for the demise of the Treaty.” Russia’s material breach of the INF Treaty and refusal to return to compliance led to the U.S. withdrawal and thus to the Treaty’s termination. The United States should work with its allies and partners to ensure Russia gains no advantage by possessing this class of missile.

Question. Based on your detailed knowledge on this treaty and strong statements opposing the United States leaving the treaty, do you believe the United States should rejoin the Open Skies Treaty?

Answer. I share President Biden’s view that it was a mistake to withdraw from the treaty, notwithstanding Russian compliance issues. Many of our Allies pointed out that none of these compliance concerns impacted the overall operation of the

treaty. That said, leaving a treaty, and rejoining a treaty while Russia continues to violate it are two different things. I understand an interagency review of Open Skies is underway. If confirmed, I look forward to learning more about internal discussions on the matter.

Question. Why do you support the United States rejoining the Joint Comprehensive Plan of Action?

Answer. If confirmed, I will be committed to ensuring that Iran does not obtain a nuclear weapon and to addressing the many other issues of concern related to Iran. The JCPOA was concluded to ensure Iran never acquires nuclear weapons, and it provides the most intrusive verification and monitoring procedures ever negotiated. I understand that the Biden-Harris administration is engaging 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. The United States has not ratified the 1996 Comprehensive Nuclear Test Ban Treaty.

- Do you support the United States ratifying the Comprehensive Nuclear Test Ban Treaty? If so, why?

Answer. Yes. The United States maintains the safety, security, and effectiveness of our nuclear arsenal without having to conduct nuclear explosive tests. It is in our national security interest to prevent a world in which states are completely unconstrained from conducting such tests. An in-force CTBT would aid in that effort.

Question. The United Nations Treaty on the Prohibition of Nuclear Weapons entered into force in January 2021. It is the first multilateral legal document to outlaw nuclear weapons.

- Based on your experience and background in arms control, what is your view of the United Nations Treaty on the Prohibition of Nuclear Weapons?

Answer. While I understand and share the desire to make progress toward a world without nuclear weapons, the TPNW is not the right way to achieve that goal. The TPNW risks undermining U.S. deterrence relationships that are still necessary for international peace and security and may reinforce divisions that hinder our ability to work together to address pressing proliferation and security challenges. All NATO Allies remain opposed to the TPNW, as repeatedly stated by the North Atlantic Council, most recently in December of 2020. The best way to achieve a world without nuclear weapons is through a process that takes into account the international security environment and seeks effective, verifiable arms control and disarmament measures.

Question. On January 3, 2020, you tweeted, "What is the U.S. logic to the strike on Qasem Soleimani?"

- The United States took decisive action on January 3, 2020, to prevent an imminent attack by a ruthless terrorist on Americans and our allies in the region. As the head of the Quds Force, General Soleimani created, supported, and directed a network of terrorist organizations that launched attacks across the region. As a war criminal, Soleimani was responsible for wounding and killing hundreds of Americans and he would have killed many more if given the chance.
- Based on your tweet, why did you disagree with the top U.S. commander in the region that the Soleimani strike re-established a deterrent in the region?

Answer. The tweet you referenced above was a retweet, without commentary, of a CNN article titled, "What is the U.S. logic to the strike on Iran's Qasem Soleimani?" The article was an analysis of the likely factors that went into the previous administration's decision to strike Soleimani. I have not expressed disagreement on this issue with the "top U.S. commander in the region."

Question. Why do you believe America is not safer today because Qasem Soleimani is gone?

Answer. Qasem Soleimani was a key architect of much of Iran's malign behavior. He had blood on his hands, including American blood, and I do not regret the killing of such an enemy of the United States. The question is not whether Soleimani was good or bad; the question is whether this action made the American people safer, based on the likelihood of Iranian retaliation and the broader strategic context in which the strike took place. I did not comment that America is not safer today be-

cause Qasem Soleimani is gone, nor do I have access to strategic assessments that would enable that conclusion, but it is a question that I and others have raised.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO HON. BONNIE R. JENKINS BY SENATOR TED CRUZ

Question. The Trump administration made great progress unwinding the United States from outdated Cold War-style arms control agreements with Russia. Many of those treaties—and the approach behind them—eroded American national security by constraining us, permitting Russian noncompliance, and of course not constraining the Chinese at all.

- One significant step was to end U.S. participation in the Open Skies Treaty (OST). The Russians had been in chronic noncompliance for a decade, and were declared noncompliant in 2017: certain overflights of the Baltic enclave of Kaliningrad, flights in the vicinity of the enclaves that they essentially invaded and carved off of the country of Georgia, not allowing some overflights of Russian military exercises, etc. It was long past time to withdraw.
- You’ve publicly indicated that the U.S. withdrawing from the OST was a mistake.
- Do you believe the U.S. should reenter OST or a similar agreement?

Answer. I share President Biden’s view that it was a mistake to withdraw from the treaty, notwithstanding Russian compliance issues. That said, leaving a treaty, and rejoining a treaty while Russia continues to violate it are two different things. I believe we should carefully consider the costs and benefits of rejoining before making any decision. As part of this analysis, we should consult with Allies and partners who are States Parties to the treaty, including on any future steps.

Question. Do you believe that if the U.S. did reenter OST or a similar agreement, such a step would require the advice and consent of the Senate?

Answer. I believe that Congressional authorization would be required for the United States to rejoin the Treaty on Open Skies.

Question. If you believe that the U.S. should reenter OST or a similar agreement, please describe your strategy for ending chronic Russian noncompliance.

Answer. If the administration were to decide to take steps to rejoin OST, I would recommend working with the interagency on ways to expand and enhance our work on compliance as it relates to the agreement.

Treaties/INF

Question. Another Cold War-style treaty from which the Trump administration withdrew was the 1987 Intermediate-Range Nuclear Forces (INF) Treaty. China had arguably been the biggest beneficiary of the INF Treaty. According to then-Commander of the U.S. Pacific Command Harry Harris (now U.S. ambassador to South Korea), roughly 95% of China’s missile forces would fall within INF Treaty parameters. The Treaty held us back from developing the technologies we needed to counter the Chinese.

- Do you believe it was a mistake to exit the INF?

Answer. I agree with NATO’s August 2, 2019, statement that “Russia bears sole responsibility for the demise of the Treaty.” Russia’s material breach of the INF Treaty and refusal to return to compliance led to the U.S. withdrawal and thus to the treaty’s termination. The United States should work with its allies and partners to ensure Russia gains no advantage by possessing this class of missile.

Question. Do you believe the U.S. should reenter the INF or a similar agreement?

Answer. As the INF Treaty terminated upon the United States’ withdrawal, it is not possible to re-enter it. I look forward to working with Congress and relevant agencies and departments on ways to create new arms control agreements that serve U.S. interests.

Question. How do you believe that the missile asymmetry created by INF compliance in the Pacific affects America’s efforts to operate within the first and second island chains in a conflict over Taiwan or the South China Sea?

Answer. China’s expansion of its nuclear and missile arsenal presages a more dangerous future, with a larger number of sophisticated intermediate-range delivery systems able to target U.S., allied, and partner forces in the Indo-Pacific. I defer

to the Department of Defense for a direct assessment of their effects on regional U.S. military operations and posture.

Question. How should the U.S. craft an arms control framework that secures its ability to operate within contested zones in the Indo-Pacific?

Answer. If confirmed, I will support the administration's pursuit of arms control measures to reduce the dangers from the People's Republic of China's growing nuclear arsenal, coupled with efforts designed to bolster deterrence in the region. It is critical that the United States consult closely with Indo-Pacific allies and partners to ensure arms control efforts both reduce the role of nuclear weapons in U.S. security strategy and ensure U.S. extended deterrence commitments remain strong and credible.

Treaties / CEF

Question. The 1996 Flank Agreement to the Treaty on Conventional Armed Forces in Europe (CFE) is one of the canonical examples where the United States negotiated arms control restrictions that the Russians serially violated, but nevertheless it took years for the U.S. or its allies to formally unwind from the Treaty. Under most interpretations, Russia was never in compliance with the 1996 limits, though it arguably complied with parts of the Adapted treaty. You participated in negotiations regarding the Flank agreement. Please describe—

- Your assessment about whether the Russians ever came into compliance with the Flank parameters.
- Your assessment of whether the Flank Agreement enhanced U.S. national security.
- Your role in formulating, reviewing, and approving the Flank Agreement, including—
 - Your overall role in formulating, reviewing, and approving the Agreement.
 - Your role in the delegation, including who you reported to.

Answer. My understanding is that Russia has not been in compliance with the May 1996 flank limits, but is within the overall treaty limits. If Russia remains within the overall conventional treaty limits, I believe such limits continue to promote both U.S. and U.S. allied national security interests as envisioned when the treaty was negotiated.

- As noted, the flank limits text was negotiated in 1996, at a time when I had already transitioned to working on the Comprehensive Nuclear Test Ban Treaty (CTBT) and was working on CTBT backstopping in Washington, DC. I was therefore not involved in the drafting of the final text of the agreement. I refer you to the Department as to its staffing of this issue at that time.

Question. Any role you had in reviewing the final text of the Agreement. If you did not have a role in reviewing the agreement, why not and who provided legal advice for reviewing?

Answer. I was not involved in the drafting of the final text of the agreement because I had moved on to working on the CTBT. I refer you to the Department as to its staffing of this issue at that time.

Question. Any role you had in approving the final text of the Agreement. If you did not have a role in approving the agreement, why not and who provided legal advice for approving?

Answer. I was not involved in the drafting of the final text of the agreement because I had moved on to working on the CTBT. I refer you to the Department as to its staffing of this issue at that time.

China / NPT

Question. The Chinese plan to triple their nuclear arsenal in the coming years.

- What leverage does the U.S. have to get China to the negotiating table?

Answer. If confirmed, I will work within the administration, in consultation with U.S. allies and partners, to pursue arms control measures to reduce the dangers from the People's Republic of China's growing nuclear arsenal. It is to be hoped that Beijing will come to see that arms control is in its security interest: not a trap designed to weaken China's defenses, but rather a mechanism to reduce risk and the chances of uncontrollable arms races. U.S. allies and partners will be key to success, and if confirmed I will seek to work with them to regularly urge the PRC to engage meaningfully with the United States on arms control.

Question. What is your plan to realistically get China to the negotiating table for a credible arms control agreement?

Answer. If confirmed, I will support the administration's pursuit of arms control measures to reduce the dangers from the People's Republic of China's growing nuclear arsenal. U.S. allies and partners will be key to success, and if confirmed I will seek to work with them to regularly urge the PRC to engage meaningfully with the United States on arms control. I understand that the administration is in the process of crafting specific proposals, and, if confirmed, I commit to consulting with Congress regarding the arms control approach the administration foresees pursuing with China.

Question. I introduced a bill last session that would impose sanctions on parts of the Chinese military sector unless they come into compliance with their already-existing NPT Article VI obligations for 'good faith' negotiations.

- Do you believe China is meeting its NPT Article VI obligations?

Answer. China's nuclear weapons build-up risks undermining decades of international progress toward nuclear disarmament. If confirmed, I will consult with legal and policy experts at the Department of State on a variety of matters related to China's behavior in the nuclear weapon arena, including its compliance with Article VI.

Iran/NPT

Question. As traditionally understood, Article IV of the NPT entitles member states to the benefits of peaceful civil-nuclear technology to the extent that they are members in good standing with the NPT. In the last administration, Special Representative of the President for Nuclear Nonproliferation Jeffrey L. Eberhardt confirmed to the SFRC in writing that "Iran's standing as a non-nuclear-weapon State Party to the NPT cannot be described as 'good.'"

- Do you consider Iran's past possession of the Nuclear Archive seized by Israel, including the materials in the Archive relevant to the development of nuclear weapons, to constitute non-compliance by Iran of its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). If yes, please explain why. If no, please explain why.

Answer. I have serious concerns about Iran's compliance with the Nuclear Non-Proliferation Treaty (NPT), and if confirmed, I will work with legal and policy experts to monitor and assess Iran's NPT compliance. Iran must cooperate fully with the IAEA to address the serious, outstanding issues related to potential undeclared nuclear material in Iran. As a non-nuclear-weapon state party to the NPT, Iran is obligated not to manufacture or otherwise acquire nuclear weapons. Under the JCPOA, Iran reaffirmed this commitment, and if confirmed, I will work to ensure that Iran never obtains a nuclear weapon.

Question. All three legs of the U.S. nuclear triad are required to maintain a reliable, credible and effective deterrent. This is especially true as Russia continues to modernize its nuclear forces and China is increasing its nuclear forces in an attempt at nuclear parity.

- Do you consider Iran's past concealment of the Nuclear Archive seized by Israel, including the materials in the Archive relevant to the development of nuclear weapons, to constitute non-compliance by Iran of its obligations under the NPT. If yes, please explain why. If no, please explain why.

Answer. Iran's long history of denial and concealment regarding its past nuclear weapons program is of serious concern. The Biden-Harris administration has stated that it will not take Iran at its word regarding assertions about its nuclear program, and fully supports the IAEA as it uses its safeguards authorities to investigate any indication of undeclared nuclear material or activities in Iran. If confirmed, I am committed to working to ensure that Iran never acquires a nuclear weapon.

Question. Do you consider Iran a member in good standing of the NPT? If yes, please explain why. If no, please explain why.

Answer. I have serious concerns about Iran's compliance with the Nuclear Non-Proliferation Treaty (NPT), and if confirmed, I will work with legal and policy experts to monitor and assess Iran's NPT compliance. Given Iran's past noncompliance with both its safeguards agreement and its NPT obligations, its failure to fully and substantially address IAEA questions related to past activities relevant to the development of a nuclear explosive device, its retention and concealment of documents, equipment, and personnel related to its past nuclear weapons program, and its failure to fully address current IAEA questions related to potential undeclared nuclear

materials and activities in Iran, Iran's nuclear activities are cause for serious concern.

Question. Do you consider Iran to be entitled to benefit from nuclear technology pursuant to Article IV the NPT? If yes, please explain why. If no, please explain why.

Answer. Article IV of the NPT recognizes the right of all the Parties to the Treaty, including Iran, to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of the Treaty. Iran must, however, comply with its international obligations when undertaking nuclear activities, including its obligations under Article II of the NPT and its NPT-required safeguards agreement with the International Atomic Energy Agency.

Question. Do you consider Iran to be entitled to benefit from nuclear technology for any reason? If yes, please explain why. If no, please explain why.

Answer. Article IV of the NPT recognizes the right of all the Parties to the Treaty, including Iran, to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of the Treaty. Iran must, however, comply with its international obligations when undertaking nuclear activities, including its obligation under Article II of the NPT not to manufacture or otherwise acquire nuclear weapons.

Iran/UNSCR 2231 Snapback

Question. UNSCR 2231 ended a long-standing international arms embargo against Iran, described across the previous six resolutions terminated by paragraph 7(a) of the resolution. After an effort to extend that embargo, the Trump administration took two measures. First, it invoked the "snapback mechanism" described in paragraphs 10-15 of UNSCR 2231, reversing the termination of those resolutions. You and others have publicly suggested that the U.S. was not entitled to invoke that mechanism. Second, the Trump administration implemented EO 13949, "Blocking Property of Certain Persons with Respect to Conventional Arms Activities of Iran," which authorizes sanctions for transfers to and from Iran of arms or related material or military equipment. As a result, the U.S. established a baseline deterrent against major arms sales to Iran. Multi-billion dollar arms agreements publicly described and anticipated by Russia, China, and Iran did not occur.

However, in February 2021, the Biden administration rescinded that decision.

- Do you agree with the decision to rescind invoking the snapback mechanism?

Answer. The snapback mechanism was designed to provide leverage to help ensure Iran performed its commitments under the JCPOA. The previous administration invoked snapback in a way that was never contemplated by the deal, namely after unilaterally exiting it. Virtually none of our allies or partners recognized this invocation of snapback. The Biden-Harris administration believes that the United States will be in a stronger position to counter the full range of threats posed by Iran, including its nuclear program, by working in close concert with our allies.

Question. Do you believe that Russia would be in violation of any UNSCR if Russia sold advanced weapons to Iran? If so, which ones?

Answer. The provisions in UNSCR 2231 prohibiting the sale, supply, or transfer to Iran of items on the U.N. Register of conventional arms expired in October 2020. The Biden-Harris administration is committed to working with our allies and partners to counter Iran's destabilizing activities in the region, including its acquisition of advanced weapons from Russia. If confirmed, I will continue to work with our partners on the Security Council to dissuade countries from providing advanced weapons to Iran and fueling Iran's efforts to undermine the stability of its neighbors in the region. The United States retains numerous unilateral authorities, including E.O. 13949 ("Blocking Property of Certain Persons with Respect to Conventional Arms Activities of Iran") to deter and sanction transfers to and from Iran of advanced weapons.

Question. Do you believe that Russia would be in violation of any UNSCR if Russia purchased advanced weapons from Iran? If so, which ones?

Answer. The provisions in UNSCR 2231 prohibiting the sale, supply, or transfer from Iran of arms and related materiel expired in October 2020. The Biden-Harris administration is committed to working with our allies and partners to counter Iran's destabilizing activities in the region, including its sales of weapons and arms. If confirmed, I will continue to work with our partners on the Security Council to dissuade countries from purchasing such equipment from Iran and fueling Iran's ef-

forts to undermine the stability of its neighbors in the region. The United States retains numerous unilateral authorities, including E.O. 13949 (“Blocking Property of Certain Persons with Respect to Conventional Arms Activities of Iran”) to deter and sanction transfers to and from Iran of advanced weapons.

Question. Do you believe that China would be in violation of any UNSCR if China sold advanced weapons to Iran? If so, which ones?

Answer. The provisions in UNSCR 2231 prohibiting the sale, supply, or transfer to Iran of items on the U.N. Register of conventional arms expired in October 2020. The Biden-Harris administration is committed to working with our allies and partners to counter Iran’s destabilizing activities in the region, including its acquisition of advanced weapons from China. If confirmed, I will continue to work with our partners on the Security Council to dissuade countries from providing advanced weapons to Iran and fueling Iran’s efforts to undermine the stability of its neighbors in the region. The United States retains numerous unilateral authorities, including E.O. 13949 (“Blocking Property of Certain Persons with Respect to Conventional Arms Activities of Iran”) to deter and sanction transfers to and from Iran of advanced weapons.

Question. Do you believe that China would be in violation of any UNSCR if China purchased advanced weapons from Iran? If so, which ones?

Answer. The provisions in UNSCR 2231 prohibiting the sale, supply, or transfer from Iran of arms and related materiel expired in October 2020. The Biden-Harris administration is committed to working with our allies and partners to counter Iran’s destabilizing activities in the region, including its sales of weapons and arms. If confirmed, I will continue to work with our partners on the Security Council to dissuade countries from purchasing such equipment from Iran and fueling Iran’s efforts to undermine the stability of its neighbors in the region. The United States retains numerous unilateral authorities, including E.O. 13949 (“Blocking Property of Certain Persons with Respect to Conventional Arms Activities of Iran”) to deter and sanction transfers to and from Iran of advanced weapons.

Question. Do you believe that Iran would be in violation of any UNSCR if Iran conducted any activity related to ballistic missiles designed to be capable of delivering nuclear weapons, including launches using such ballistic missile technology?

Answer. United Nations Security Council resolution (UNSCR) 2231 calls upon Iran not to undertake any activity related to ballistic missiles designed to be capable of delivering nuclear weapons, including launches using such ballistic missile technology. The United States uses a number of tools to prevent transfers of equipment and technology to Iran’s missile programs and call attention to Iran’s missile development efforts. This includes reporting to the Security Council launches by Iran that use technologies related to ballistic missiles designed to be capable of delivering nuclear weapons and urging the Council to address such activities.

Question. Do you believe that Iran would be in violation of any UNSCR if Iran conducted any activity related to ballistic missiles capable of delivering nuclear weapons, including launches using such ballistic missile technology?

Answer. United Nations Security Council resolution (UNSCR) 2231 calls upon Iran not to undertake any activity related to ballistic missiles designed to be capable of delivering nuclear weapons, including launches using such ballistic missile technology. The United States uses a number of tools to prevent transfers of equipment and technology to Iran’s missile programs and call attention to Iran’s missile development efforts. This includes reporting to the Security Council launches by Iran that use technologies related to ballistic missiles designed to be capable of delivering nuclear weapons and urging the Council to address such activities.

JCPOA/Treaty

Question. I believe that the Joint Comprehensive Plan of Action (JCPOA) and any similar arms control agreement with Iran should be brought to the U.S. Senate as a treaty for the Senate’s advice and consent. Officials from the Biden administration have indicated in public and private they disagree with that stance, because it is important in the context of such agreements to allow the U.S. to act “without the constraints of international treaty law.” I disagree with that analysis, which fails to account for the Senate’s prerogatives in general, and in the context of the JCPOA cannot be reconciled with the Obama-Biden administration’s move to lock in the JCPOA at through United Nations Security Council Resolution UNSCR 2231, which sought to constrain U.S. behavior at the level of international law.

- Do you believe that the JCPOA or a successor agreement should be brought to the U.S. Senate for advice and consent? If not, why not?

Answer. Secretary Blinken has committed to consulting fully 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 negotiated as a non-legally binding arrangement and transmitted to Congress under INARA in 2015, and it underwent close congressional and public scrutiny. If confirmed, I look forward to supporting the Secretary, Special Envoy Malley, and other members of the administration in consultations on any agreement relating to Iran's nuclear program, and to complying with the provisions of INARA.

Question. Do you believe that the JCPOA or a successor agreement should not be brought to the Senate for advice and consent specifically because it would constrain U.S. options? If so, please describe those constraints.

Answer. Secretary Blinken has committed to consulting fully 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 negotiated as a non-legally binding arrangement and transmitted to Congress under INARA in 2015, and it underwent close congressional and public scrutiny. If confirmed, I look forward to supporting the Secretary, Special Envoy Malley, and other members of the administration in consultations on any agreement relating to Iran's nuclear program, and to complying with the provisions of INARA.

Question. If a future agreement with Iran is not submitted to the U.S. Senate for its advice and consent, do you believe that a future administration would be within its legal prerogatives to dismantle it?

Answer. Secretary Blinken has committed to consulting fully 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 negotiated as a non-legally binding arrangement and transmitted to Congress under INARA in 2015, and it underwent close congressional and public scrutiny. If there were to be a U.S. return to the JCPOA, the arrangement would impose no legal constraints on the United States' ability to protect its interests, including, for example, by ceasing participation in the deal if Iran were to fail to adhere to its JCPOA commitments.

State Department

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. What are your goals for your bureau, if confirmed?

Answer. I have several priorities I would like to engage on if confirmed, the broadest and most important of which is to play a role in reducing the risk of nuclear war through effective arms control. I believe it is also critical that we make progress on limiting Russian and Chinese nuclear expansion, strengthening our efforts in biosecurity, pursuing accountability for the use of chemical weapons, and promoting a diverse workforce. If confirmed I hope to work to strengthen deterrence alliances in the Euro-Atlantic and Indo-Pacific to better deter and defend against growing threats, and to help position the U.S. Government and State Department to grapple with advancements in emerging technologies that can threaten strategic stability. Finally, I intend if confirmed to strive to ensure that arms transfers and security assistance are focused on building values-based security partnerships.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
 SUBMITTED TO HON. BONNIE R. JENKINS BY SENATOR MIKE ROUNDS

Question. China voluntarily agreed, in 1997, to report its annual civil plutonium production figures and related activities to the International Atomic Energy Agency (IAEA), along with the U.S., UK, France, Russia, Japan, Belgium, Switzerland, and Germany. The last Chinese report, which covered 2016, was submitted in 2017.

There is no public record of the U.S. taking them to task for no longer reporting this information, which is troubling due to their development of a fast-breeder reactor program.

Furthermore, the Commander of USSTRATCOM indicated, at an open Senate Armed Services Committee hearing on 14 April 2021, that “this will change the upper bounds of what China could choose to do, if they wanted to, in terms of further expansion of their nuclear capabilities.”

- Do you know if this has been discussed, with the Chinese, in diplomatic circles? Will you commit to meeting with me, if confirmed, to discuss this issue further?

Answer. I have not been privy to such conversations. However, if confirmed, I will call on China to submit its declaration report to the IAEA per Information Circular (INFCIRC)/549 concerning “Guidelines for the Management of Plutonium.” If confirmed, I would be happy to meet with you to discuss this issue further.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
 TO HON. BONNIE R. JENKINS BY SENATOR BILL HAGERTY

Nuclear Modernization

Question. If you are confirmed, will you commit supporting the modernization of U.S. nuclear forces? Please begin your answer with yes or no.

Answer. Yes, the United States should have a modern, credible, and effective deterrent.

Question. In your view, why is the modernization of U.S. nuclear forces critical to protecting the security of the United States?

Answer. The United States must maintain a credible nuclear deterrent as long as nuclear weapons exist. Nuclear weapons will continue to exist beyond the planned service lives of existing U.S. nuclear forces and modernization is necessary to sustain a credible deterrent.

Question. In your view, do you agree that the role of nuclear weapons should be reduced in U.S. foreign policy, as stated by two Biden administration officials in an interview with the Asahi Shimbun? Please begin your answer with yes or no. In an interview with Asahi Shimbun, Deputy Assistant Secretary of State for the Bureau of Arms Control, Verification, and Compliance Alexandra Bell and Deputy Assistant Secretary of Defense for Nuclear, Missile Defense Policy Leonor Tomero publicly stated that “there is no doubt that President Biden’s goal is to reduce the role of nuclear weapons.”

Answer. Yes, as the Interim National Security Strategic Guidance states, “We will take steps to reduce the role of nuclear weapons in our national security strategy, while ensuring our strategic deterrent remains safe, secure, and effective and that our extended deterrence commitments to our allies remain strong and credible.”

No First Use Policy

Question. If you are confirmed, will you commit to upholding the longstanding U.S. policy of not adopting a “no first use” policy? Please begin your answer with yes or no. Admiral Charles Richards, who heads the U.S. Strategic Command, said that his “best military advice would be not adopt a no-first-use policy.” During her nomination hearing, Deputy Secretary of Defense Kath Hicks said that a “no first use” policy is not in the interest of the United States.

Answer. The President of the United States determines U.S. declaratory policy. The Biden-Harris administration is undertaking a review of nuclear policy that will certainly include declaratory policy. If confirmed, I will participate in that process and will consult with Congress and our allies on any policies or actions in this area.

Question. In your view, what are the conditions in which the United States can actually use a nuclear weapon? On January 2021, you argued for declaring a “no first use” policy, stating that “the United States needs to define the conditions where we can actually use a nuclear weapon.”

Answer. The President of the United States determines the conditions under which the United States would consider the use of nuclear weapons. The Biden-Har-

ris administration is undertaking a review of nuclear policy that will certainly include declaratory policy. I have thought, as many do, that the United States might consider changes to U.S. declaratory policy that could increase stability. I understand that there are varying perspectives on the issue, but I believe most agree that we want to reduce nuclear risks to the United States and our allies and partners. If confirmed, I look forward to working with the interagency and allies and Congress to find the best ways to do this.

Question. What risks might U.S. allies face if the United States were to adopt a “no first use” policy?

Answer. The Biden-Harris administration is undertaking a review of nuclear policy that will certainly include declaratory policy. If confirmed, I will participate in that process and will consult with Congress and U.S. allies on any policies or actions in this area. It would be premature to speculate about risks prior to the completion of this review.

China & Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons

Question. In your view, if a country with nuclear weapons, which is a signatory of the Treaty on the Non-Proliferation of Nuclear Weapons, deliberately and repeatedly refuses to engage in good faith negotiations on the issue of arms control, would you agree that country is in violation of Article VI of the NPT? Please begin your answer with yes or no. Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons clearly stipulates that countries with nuclear weapons should “pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race.” In recent years, the United States repeatedly attempted to engage China on the issue of arms control, but Beijing refused, asserting that “the time is not yet ripe” for such discussions.

Answer. If confirmed, I will consult with legal and policy experts at the Department of State on a variety of matters related to China’s behavior in the nuclear weapon arena, including its compliance with Article VI of the NPT. It is urgent for China to take on greater responsibility, transparency, and restraint with respect to its nuclear weapons arsenal.

Security Assistance

Question. If you are confirmed, what metrics would you rely upon to determine whether China is violating VI of the NTP Treaty?

Answer. If confirmed, I will consult with legal and policy experts at the Department of State on a variety of matters related to China’s behavior in the nuclear weapons arena, including considerations relevant to assessing compliance with Article VI of the NPT.

On the Next Arms Control Treaty

Question. If you are confirmed, do you commit that the next arms control treaty should include China? Please begin your answer with yes or no.

Answer. No. While the United States will pursue arms control measures to reduce the dangers from the People’s Republic of China’s growing nuclear arsenal, arms control agreements and arrangements must be tailored to the security challenges they are intended to address. Although there may be opportunities for the United States and Russia to engage the PRC in a trilateral forum, I do not believe that all future arms control endeavors with Russia must include the PRC.

Question. If you are confirmed, do you commit that the next arms control treaty with Russia must address all nuclear warheads, to include Russia’s non-strategic nuclear weapons? Please begin your answer with yes or no.

Answer. If confirmed, I will work to ensure that we use the time provided by a five-year extension of the New START Treaty to pursue with Russia, in consultation with Congress and U.S. allies and partners, arms control that addresses all Russian nuclear weapons, including novel strategic systems and non-strategic nuclear weapons. Incorporating Russian non-strategic nuclear weapons into arms control is a longstanding and bipartisan U.S. objective.

Question. If you are confirmed, do you commit to regularly briefing Congress on the status of diplomatic engagements with China on the issue of arms control?

Answer. Yes, if confirmed I commit to regularly consulting Congress on the status of the Biden-Harris administration’s approach to China and arms control.

Iran and the Treaty on the Non-Proliferation of Nuclear Weapons

Question. In your view, is Iran in compliance with the Treaty on the Non-Proliferation of Nuclear Weapons? Please begin your answer with yes or no.

Answer. I have serious concerns about Iran's compliance with the NPT, and if confirmed, I will work with legal and policy experts to monitor and assess Iran's NPT compliance. President Biden has made clear he is committed to ensuring that Iran never acquires a nuclear weapon, and I share that commitment.

Question. If yes, how is Iran in compliance when it has not answered the IAEA's questions on undeclared nuclear material and activities?

Answer. I have serious concerns about Iran's compliance with the Nuclear Non-Proliferation Treaty (NPT) in light of the IAEA's ongoing safeguards investigations and Iran's failure to provide the IAEA with the cooperation necessary to resolve them. If confirmed, I will work with legal and policy experts to monitor and assess Iran's NPT compliance. Iran must engage and cooperate fully with the IAEA in a way that leads to credible, concrete progress and toward resolution of these issues. Like President Biden, I have 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. If you are confirmed, do you commit to providing no sanctions relief to Iran until they comply with the IAEA's requests to resolve the outstanding issues on undeclared nuclear materials and activities? The 2021 Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments noted that during the 2020 reporting period, the IAEA Director General (DG) issued several reports on Iran that make clear that serious, outstanding concerns remain regarding possible undeclared nuclear material and activities in Iran today.

Answer. Iran is obligated under its NPT-required safeguards agreement to declare to the IAEA nuclear material and nuclear activities in Iran. Iran's failure to provide substantive or technically credible responses to the IAEA's questions related to possible undeclared nuclear materials and activities in Iran is cause for serious concern. If confirmed, I will strongly support the IAEA's ongoing investigation in Iran into indications of possible undeclared nuclear material and, along with the rest of the international community, expect full Iranian cooperation with inspectors—without delay—as the IAEA works toward conclusions. President Biden has made clear he is committed to ensuring that Iran never acquires a nuclear weapon.

Open Skies Treaties

Question. In your view, do you agree that Russia has violated, and continues to violate, the Treaty on Open Skies? Please begin your answer with yes or no. The 2021 Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments noted that in "2020, the United States continued to assess that Russia was in violation of the Treaty on Open Skies (OST)." In May 2020, the Director of the U.S. National Counterintelligence and Security Center said: "For years, Russia has used the Open Skies Treaty to collect intelligence on civilian infrastructure and other sensitive sites in America, posing an unacceptable risk to our national security."

Answer. Yes, Russia has violated, and continues to violate, the Treaty on Open Skies. I am not aware that Russia has taken any action to return to compliance. As stated in this year's compliance report, Russia has not rescinded its illegal 500-kilometer sublimit over Kaliningrad. Russia also remains in violation for refusing to allow observation flights to approach within 10 kilometers of its border with the Georgian regions of South Ossetia and Abkhazia. While not a violation of the treaty, Russia has also declared an airfield in Crimea as a Russian Open Skies refueling airfield, in an attempt to politicize the treaty.

Question. In your view, do you agree that Russia abuses the Treaty on Open Skies and its actions posed an unacceptable risk the security of the United States and our allies?

Answer. My view is that Russia's violations of the Treaty on Open Skies, while concerning, by themselves do not pose a direct and immediate threat to U.S. national security. Russia's use of the treaty to collect imagery of military and civilian infrastructure, while not prohibited by the treaty, could pose a risk, although I understand there are measures in place to mitigate that risk.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. JOSE W. FERNANDEZ BY SENATOR ROBERT MENENDEZ

Rebuilding the Bureaus

Question. Neglect of the Economic Growth, Environment, and Energy Bureaus has resulted in a serious brain drain from the bureaus and hurt morale among the dedicated workforce of these Bureaus. The previous administration's skepticism and outright hostility towards environmental stewardship, climate change, clean energy diplomacy and economic cooperation were not only tone deaf and out of touch with the interests of the rest of the world, but were demoralizing to the very thoughtful and engaged personnel within these bureaus.

- How will you restore morale among personnel, build back the ranks of the "E" bureaus and offices, and demonstrate leadership and interest in the E Bureaus' priorities?

Answer. Rebuilding the "E" family will require commitment and dedication, not only in recruiting but in training and retention efforts. We will also need to pay special attention to groups whose lack of representation at the State Department predates the previous administration. If confirmed, with your support and the help of my colleagues at State, I intend to pay special attention to this effort.

Question. How will you continue and build on this tradition of leadership to advance the values of transparency and accountability that the U.S. Government has championed across MDBs?

Answer. If confirmed, I will champion the values of transparency and accountability across all U.S. engagements with the multilateral development banks. In large part due to our significant shareholding size, the United States is in a position to continue to work with fellow shareholders to ensure the MDBs promote transparency and accountability in order to build more support among all stakeholders for the very important work they do to address systemic barriers to economic development.

Question. The U.S. National Contact Point (NCP) to the OECD is one of the only avenues for justice for harm caused by companies; however, reports have documented meaningful shortcomings in the NCP's ability for facilitating accountability and remedy. How will you ensure that the U.S. NCP is strong and effective to address business and human rights grievances?

Answer. The U.S. National Contact Point for the OECD Guidelines for Multi-national Enterprises (Guidelines) serves an important role in promoting and implementing the Guidelines, and in facilitating the resolution of allegations brought against a company. The Guidelines provide important recommendations by governments to companies on responsible business practices, including with respect to human rights. If confirmed, I will review the current work of the U.S. NCP, consider feedback from concerned stakeholders, and take appropriate steps to ensure that the mechanism we have in place to address grievances is a meaningful one.

Question. What is your assessment of the push for an Inter-American Development Bank (IDB) capital increase?

Answer. The Inter-American Development Bank (IDB) is a vital source of development finance for Latin America and the Caribbean and provides a high-quality alternative to unsustainable borrowing from China or other creditors. IDB lending and policy advice will be important for supporting the region in emerging from the multiple crises it faces. If confirmed, I intend look closely at the IDB's plans and current financing needs in collaboration with Treasury and other agencies.

Question. How can Congress best work with the administration to advance this goal (of an IDB capital increase)?

Answer. Discussions on the Inter-American Development Bank's (IDB) resources should occur from the bottom up, considering the views of all shareholders, including Congress and IDB management. Such discussions should include fulsome analyses of financial conditions, how its use of resources addresses the region's challenges, and the IDB's role within the larger financing and policy landscape for the region. If confirmed, I would look closely at the IDB's plans and current financing needs in collaboration with Congress, Treasury, and other agencies.

Question. How do you see the Under Secretary facilitating climate into the operations of State Department bureaus where the concept of "Climate Diplomacy" may still be new?

Answer. Among the many pressing international priorities on President Biden's agenda, reasserting American leadership in combating the global climate crisis is

among the most critical—having been identified by the President as one of the four “historic” crises confronting the United States. If confirmed, I plan to work closely with Secretary Kerry and his team to advance our climate diplomacy work. I understand that Secretary Kerry’s climate diplomacy work is closely coordinated with the Department’s. If confirmed, I am also committed to further integrating the climate agenda in the “E” family of bureaus and offices, and supporting the Biden-Harris administration’s broader diplomatic engagement.

Question. Can you describe how you see yourself, if confirmed, working in cooperation with the Special Presidential Envoy for Climate in realizing the full-scale integration and consideration of climate into our foreign policy apparatus?

Answer. If I am confirmed, while I will report to Secretary Blinken, I plan to work closely with Special Presidential Envoy Kerry and his team to advance our climate work. Addressing the climate crisis is going to take a whole-of-government and whole-of-Department of State approach. If confirmed, I will have the privilege of overseeing two of the bureaus most actively engaged in climate change diplomacy: the Bureau of Oceans and International Environmental and Scientific Affairs, and the Bureau of Energy Resources. I anticipate a close working relationship with SPEC to ensure we are working together to advance this policy priority.

Question. Is it in the U.S. interest, or a sound reflection of U.S. values, to respond to BRI investments in fossil fuels by offering financing for comparable fossil fuel energy projects that have significant environmental impacts?

Answer. It is in the U.S. interest to work with countries to understand the full economic and environmental impact of energy investments and the availability of cost-effective, clean, and low-carbon alternatives to fossil fuels. This includes, but is not limited to, countries where the PRC is investing through its One Belt, One Road (OBOR) initiative. If confirmed, I commit to coordinating across U.S. Government agencies to work with international partners and expand competitive financing options for cost-effective, low carbon alternatives to PRC-backed, heavy-emitting infrastructure projects.

Question. Should the U.S. compete by providing better clean energy alternatives that provide wide ranging health, economic growth and social benefits to BRI energy projects that exacerbate the climate crisis and harm local health and the environment?

Answer. It is critical that countries’ energy needs be met in a safe, and fiscally and environmentally sustainable, manner. If confirmed, I commit to working with institutions like DFC and EXIM to advance U.S. clean energy financing options, with a focus on building partners’ capacities to assess and mitigate financial and environmental risks in the energy sector. I also commit to supporting international initiatives, such as the Blue Dot Network, to certify quality infrastructure projects that uphold global standards and are vital to strengthening shared climate, social, and environmental standards.

Question. Do you believe it is in the U.S. economic interest, and sound environmental policy, for the U.S. to pay foreign entities to take our plastic waste to create energy?

Answer. It is in the economic and environmental interest of the United States to support environmentally sound management of plastic waste and scrap. If confirmed, I will work with international partners to better understand international trade flows of plastic waste and scrap as the State Department and other Departments and agencies consider these important policy questions.

Question. Would you support a prohibition on export of U.S. plastic waste for foreign energy production?

Answer. If confirmed, I would support upholding and implementing U.S. export laws for waste and scrap, and supporting U.S. industry in understanding the policies of other countries related to trade in plastic waste and scrap. I understand that the Biden-Harris administration is still reviewing its position on international waste and scrap issues, and if confirmed I look forward to participating in that review.

Question. If confirmed, what specific steps will you take to increase U.S.-India cooperation on clean energy and address climate change?

Answer. I understand that U.S.-India cooperation on climate and clean energy is a core element of the bilateral relationship. President Biden and Prime Minister Modi launched the U.S.-India Climate and Clean Energy Agenda 2030 Partnership at the Leaders Summit on Climate on April 22, 2021. Advancing India’s ambitious 2030 climate and clean energy targets, such as reaching 450 GW of renewable en-

ergy, will be critical to confronting the climate crisis. If confirmed, I intend to ensure that the State Department plays a leading role in advancing U.S.-India collaboration, including by building on existing initiatives through the Bureau of Energy Resources to mobilize clean energy finance and integrate renewable energy into a flexible power system.

Question. What role would you anticipate having in the implementation of the U.S.-India Climate and Clean Energy Agenda 2030 Partnership?

Answer. President Biden and Prime Minister Modi launched the U.S.-India Climate and Clean Energy Agenda 2030 Partnership at the Leaders Summit on Climate on April 22, 2021, elevating climate and clean energy collaboration to the core of the bilateral relationship. The Partnership goals are to support India's deployment of 450 GW of renewable energy by 2030, scale up innovative technologies, and build capacity for climate adaptation. If confirmed, I intend to ensure the State Department plays a leading role in this Partnership—through promoting clean energy finance, technical assistance on regulatory reform, and support for innovation and technology scale-up—and provides the resourcing to achieve the ambitious 2030 agenda.

Question. If confirmed, will you support the establishment of a U.S.-Eastern Mediterranean Energy Center?

Answer. I am familiar with the goals of the Eastern Mediterranean Security and Energy Partnership Act and, if confirmed, I will work with Congress and the Department of Energy to support the U.S.- Eastern Mediterranean Energy Center. I understand that the Department of Energy is working with counterparts from Israel, Greece, and the Republic of Cyprus, along with the State Department's Bureau of Energy Resources, to determine the Center's scope of activities, and expects to have a framework for establishment of the Center in the coming weeks.

Question. Will you commit to prioritizing labor rights and support for labor unions in relations with Bangladesh, if confirmed?

Answer. Yes, if confirmed, I commit to prioritizing labor rights and support for labor unions in relations with Bangladesh. In 2013, President Obama suspended Bangladesh's trade benefits under the Generalized System of Preferences (GSP) because the Government of Bangladesh had made insufficient progress in affording Bangladeshi workers internationally recognized worker rights. Since then, Bangladesh has made a few amendments to its labor law, but workers continue to face dismissals, blacklisting, and violence for attempting to join or form unions or demonstrate for their due wages and benefits. In response, the Department of State, USAID, and Department of Labor fund programs to improve workers' rights and safety in the garment, shrimp, and domestic work sectors, as well as for migrant workers. I understand that the State Department also coordinates with USAID, the International Labor Organization, and other partners to encourage Bangladesh to enact reforms to bring its labor legislation in line with international standards. If confirmed, I will ensure my team amplifies this work, and raises concerns about labor rights at the highest levels of the Government of Bangladesh.

Question. How specifically will you ensure that labor rights and labor unions are prioritized in initiatives such as High-Level Consultations on Economic Partnership with Bangladesh?

Answer. If confirmed, I will work with leadership in the Bureau of Democracy, Human Rights, and Labor, U.S. Department of Labor, and U.S. Trade Representative to ensure labor rights and labor unions are prioritized in initiatives with Bangladesh, including the High-Level Consultation on Economic Partnership. President Biden made clear in his address to a joint session of Congress on April 28: middle class workers grow the economy and unions build the middle class. Likewise, economic partnerships are only possible because of workers, so labor rights must be viewed as a priority across topics and sectors, rather than a standalone issue.

Question. Will you commit to working with international partners to combat plastic pollution and marine debris in the oceans?

Answer. Yes, if confirmed, I commit to working with international partners to combat plastic pollution and marine debris in the ocean. I plan to work with colleagues at the Department and across the interagency, along with stakeholders, as the United States prepares for negotiations under the fifth United Nation Environment Assembly meeting, which is expected to deliberate on options for global action to address ocean plastic pollution in February 2022. If confirmed, I will also work with staff to implement the Department's activities under Save Our Seas 2.0, in-

cluding building international partnerships to build capacity to address marine debris.

Question. Will you help guide the State Department, working with other relevant federal agencies and multilateral institutions, to examine the environmental risks and social impact of foreign plastic waste processors that claim to recycle plastic waste?

Answer. Yes, if confirmed, I will help guide the Department, including collaborating interagency partners and relevant multilateral institutions, to better understand the environmental and social impacts of foreign plastic waste processors that claim to recycle plastic waste.

Question. Will you make exploring the potential for new international agreements on land-based sources of marine debris and derelict fishing gear a priority for the Oceans and International Environmental and Scientific Affairs Bureau?

Answer. If confirmed, I commit to addressing ocean plastic pollution and working with countries and stakeholders to find innovative solutions to address land-based sources of marine debris as well as derelict fishing gear. The Biden-Harris administration has not taken a position on launching a new global instrument and is still developing its perspective on the best approaches to addressing marine litter and plastic pollution. If confirmed, I will work with interagency, stakeholders and international partners as we consider different approaches, including new global instruments.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. JOSE W. FERNANDEZ BY SENATOR JAMES E. RISCH

Question. Who is responsible for coordinating and effectively executing U.S. foreign policy, to include diplomatic engagement to advance U.S. global health security interests overseas—the Department of State, USAID, or CDC?

Answer. I understand that the United States takes a whole-of-government approach, under the President's leadership, and in coordination with the National Security Council, to advance U.S. foreign policy, including advancing U.S. global health security interests overseas. The President appointed a Coordinator for the Global COVID-19 Response and Health Security at the Department of State. This role leads diplomatic engagement on behalf of the U.S. Government on health security matters, coordinating closely with relevant departments and agencies. I understand that the Chief of Mission ultimately has authority and responsibility for U.S. activities in a respective country and is responsible for coordinating and effectively executing U.S. foreign policy. Staff across the U.S. interagency, including from the Department of State, USAID, and CDC, have critical roles to contribute to this effort.

Question. Who is responsible for coordinating and effectively executing U.S. foreign assistance overseas, to include diplomatic engagement to advance U.S. global health security interests in countries of all income categories—the Ambassador (Department of State), the Mission Director (USAID), or CDC country representatives?

Answer. I understand that under the direction of the President, the Secretary of State is responsible for the supervision and general direction of U.S. foreign assistance. I understand that the U.S. Ambassador, with Chief of Mission authority and responsibility for U.S. activities in a country, is responsible for ensuring adequate coordination among U.S. departments and agencies in country, as to best utilize the expertise of technical agencies such as USAID and CDC and ensure coordination across equities. The implementation of specific programs falls under USAID Mission Directors and CDC country representatives, who have important roles in directing country teams in the responsible and effective use of U.S. foreign assistance overseas.

Question. Who is best placed to coordinate the execution of a comprehensive U.S. global health security strategy overseas, including by resolving conflicts between implementing agencies and organizations—the Department of State, USAID, or CDC?

Answer. I understand that the Chief of Mission in a given country has ultimate responsibility for U.S. activities in the country, and the National Security Council coordinates implementation of U.S. foreign policy across agencies. I understand that the Department of State, USAID, CDC, DOD, and other agencies collaborate closely to coordinate and resolve conflicts in the execution of U.S. global health security strategy overseas.

Question. Given the leading role assigned to the Department of State by National Security Memorandum-1 (21 January 2021) and Executive Order 13747 (4 November 2016) in advancing U.S. global health security and diplomacy, the enormity of U.S. foreign assistance dedicated to advancing global health priorities overseas, and the fact that the major implementer of U.S. global health assistance overseas—USAID—falls under the foreign policy guidance of the Department of State, do you believe the Office of International Health and Biodefense, as currently structured, is fit for purpose?

Answer. The current pandemic highlights the importance of global health security. The Bureau of Oceans and International Environmental and Scientific Affairs' Office of International Health and Biodefense (OES/IHB) advances these interests through diplomacy and foreign policy implementation bilaterally and multilaterally, in close coordination with the interagency. I understand that OES leadership will continue coordinating with relevant Department of State bureaus and offices and interagency partners to review global health security needs and assess the need for any additional resources, working with Congress.

Question. Do you agree that the PEPFAR model, to include the coordinating role played by the Department of State and the implementing roles played by USAID and the CDC, has been successful?

Answer. Yes. PEPFAR uses a whole-of-government model to harness the comparative advantages of seven U.S. Government implementing agencies, including USAID and CDC, with leadership and coordination through the U.S. Department of State, including at the country level through U.S. Chiefs of Mission worldwide. It may be the most rigorous global health program in terms of data collection. PEPFAR's interagency program implementation has been critical to PEPFAR's success in controlling the HIV/AIDS pandemic. As PEPFAR's work continues, it is seen as a model in global health, even in the context of COVID-19.

Question. As more and more countries approach epidemic control, do you believe this (PEPFAR) model could be adapted to advance broader global health security and diplomacy objectives, as the Obama administration envisioned under the GHI?

Answer. The current pandemic highlights the importance of strengthening global health security capacity and health systems. Various models for U.S. foreign assistance programs, including PEPFAR, have successfully bolstered health outcomes globally. Bureaus and offices at the Department of State—including the Office of the U.S. Global AIDS Coordinator, Office of International Health and Biodefense, and Office of Foreign Assistance—continue efforts to leverage the successes of various aid models to effectively strengthen global health security capacity, and I will look forward to reviewing those efforts and models if confirmed.

Question. As the Department and U.S. interagency work to help developing nations build their infrastructure and provide their energy needs, will you commit to considering all energy sources and fuels types that make the most sense for each project, particularly with respect to the needs of developing countries? Will you commit not to make general prohibitions on coal, oil, or natural gas projects?

Answer. I am committed, if confirmed, to help developing countries address their energy needs and support the Biden-Harris administration's whole-of-government approach to ensure that climate considerations are fully integrated into our energy-related engagements. This includes supporting developing countries as they plan for a low-emissions future that decarbonizes key sectors, increases competitive energy and infrastructure development, and increases energy access to sustainably meet growing demand. If confirmed, I will work within the Department and interagency to coordinate support to countries to meet their climate, energy access, and energy security needs in ways that further our climate and energy goals.

Question. If a capital increase is authorized for the Inter-American Development Bank (IADB) this Congress, if confirmed, will you commit to working to establishing appropriate safeguards, transparency and conditionality measures to protect debt-vulnerable IADB member countries of that borrow from the IADB to restructure Chinese bilateral debt held by such countries? Do you also commit to establishing measures to protect such countries from incurring subsequent Chinese bilateral debt?

Answer. If confirmed, I will work closely with our allies and partners to distinguish our approach to development from China's by ensuring that economic viability and transparency are built into the projects we support at the Inter-American Development Bank. I will also work to confront China's economic abuses and advocate for the highest transparency and accountability standards to promote development investments that are both beneficial and sustainable over the long term.

Question. China, through its Belt and Road Initiative, is financing and constructing infrastructure projects around the globe. These projects build relationships that will last years if not decades between China and other countries. Depending on the terms of the financing and the quality of the construction, China may secure an unfair advantage in the relationship to the detriment of the interests of the host country as well as the United States. How do you propose the United States counter these practices and strengthen relationships with countries in need of infrastructure development?

Answer. If confirmed, I will work to ensure the United States distinguishes itself from Beijing's state-led approach to development, including the "One Belt, One Road" initiative, by promoting private-sector driven alternatives. The United States' approach focuses on partnerships that strengthen local capacity and promote entrepreneurship, transparency, good governance, fair practices, and internationally recognized environmental, social, and labor standards. If confirmed, I will work with partners and allies, and through existing U.S. Government agencies such as the Development Finance Corporation, the Export-Import Bank, and others, to promote and support infrastructure investments with high standards that ensure such projects are beneficial and sustainable over the long term.

Question. People's Republic of China (PRC) companies are making significant headway an important but often overlooked technology area: undersea cables. The prior administration focused on this issue through its Clean Cable initiative, and by providing financing for specific cable projects in the Indo-Pacific. Please describe your understanding of PRC activities in the undersea cable market and the implications for United States interests. Do you commit to prioritizing this area of technology if you are confirmed?

Answer. I understand that the Biden-Harris administration views undersea cables as critical to America's national security and economic prosperity. If confirmed, I will fully support Department efforts that prioritize protecting this critical infrastructure and work with allies and partners to prevent untrusted, high-risk, and unproven vendors, like those with ties to the PRC, from increasing their market share through unfair practices.

Question. After years of negotiations, on December 30th, 2020-nearly the final day of the German Council presidency-the European Union (EU) announced it had reached an agreement with China on an investment deal. What is your view of the EU's decision to conclude this agreement at this moment?

Answer. If confirmed, I look forward to early consultations with our EU and European partners on shared concerns about China, including through the recently relaunched U.S.-EU dialogue on China and on issues related to trade and investment. Ultimately, the onus will be on China to show that any new pledges in the Comprehensive Agreement on Investment (CAI) on forced labor, state-owned enterprises, and subsidies are not just cheap talk, and the EU will need to hold the Chinese Government accountable. If confirmed, I will seek to engage with European counterparts on how to advance our shared economic interests and counter China's aggressive and coercive actions, as well as on China's failures to uphold its past international commitments.

Question. What are the economic and geopolitical implications of this agreement? Please be specific. Will it affect the EU's willingness to push back on China for its malign behavior, such as using the EU's new human rights sanctions regime? Do you believe that this agreement will affect, negatively or positively, U.S. attempts to hold China accountable for its malign trade and investment practices?

Answer. If confirmed, I will continue the administration's active engagement with EU and European counterparts on how to advance our shared economic interests and counter China's aggressive and coercive actions, including trade and investment practices. The economic and geopolitical implications of the deal will depend on whether it is ratified and, if so, whether the Chinese Government follows through on its commitments. The United States applauded the EU's imposition of sanctions in March under its global human rights sanctions regime against PRC individuals in connection with serious human rights abuses in Xinjiang, an action taken in unity with the United States, Canada, and the United Kingdom.

Question. The prior administration stood up an initiative called the Infrastructure Transaction and Assistance Network, designed to advance the development of sustainable, transparent, and high-quality infrastructure in the Indo-Pacific region by strengthening capacity-building programs; providing transaction advisory services and project preparation assistance to support sustainable infrastructure; and coordi-

nating the provision of United States assistance for the development of infrastructure. If confirmed, do you commit to supporting and continuing this program?

Answer. If confirmed, I commit to continuing the Infrastructure Transaction and Assistance Network (ITAN). Public financing alone cannot fulfill the \$15 trillion global infrastructure gap over the next twenty years—we must mobilize private financing of quality infrastructure, particularly in the Indo-Pacific. Participants in ITAN representing 14 U.S. agencies have collaborated to identify and provide support for dozens of projects with a market value of \$190 billion. I will work to continue helping foreign partners build better enabling environments to mobilize greater private sector financing in quality infrastructure investment through ITAN.

Question. If confirmed, do you commit to prioritizing advocacy, assistance, and other necessary initiatives to encourage, promote, and support greater investment in and economic and commercial engagement with Southeast Asia?

Answer. Yes. If confirmed, I commit to supporting increased investment, economic, and commercial engagement in Southeast Asia. Transparent, inclusive, and resilient economic growth is key to ensuring that Southeast Asia remains free and open. Through our Indo-Pacific programs, if confirmed, I will work with U.S. Government economic agencies to help countries in the region attract quality investments, increase transparency, secure project financing for key transactions, and advocate for U.S. firms. I will also seek to work through multilateral organizations, such as APEC and ASEAN, to improve regional business environments, reduce trade barriers, and increase commercial ties between U.S. businesses and the region.

Question. How can the United States build more reliable trade and investment partnerships with African countries, particularly when the region faces severe economic impacts from the coronavirus pandemic, external debt, and inflationary pressures? What will it take to overcome these myriad challenges, and how do you believe the United States can assist?

Answer. I believe that fostering debt transparency is a key requirement for building back better in Africa. I understand that the United States supports the Paris Club-G20 Debt Service Suspension Initiative and the Common Framework for Debt Treatments, both of which include debt transparency requirements. If confirmed, I will advance U.S. engagement in the multilateral debt initiatives, as well as ongoing World Bank and IMF support for economic recovery in Africa. The World Bank has provided \$50 billion for African countries, while a significant portion of the IMF's \$110 billion in COVID-related rapid financing has gone to Africa. If confirmed, I will also support development of a plan for a \$650 billion IMF special drawing rights allocation.

Question. Our strategy to counter malign foreign actors like the People's Republic of China (PRC) in African countries cannot be limited to still-nascent programs like Prosper Africa and aged initiatives like the African Growth and Opportunity Act (AGOA). The United States' plan will also require strategic, targeted, and well-resourced "whole-of-country" initiatives that address not only the economic side of the issue, but the governance, cultural, and diplomatic sides as well. How can the United States better develop country- or city-level strategies (for Africa's ever-growing mega-cities) to properly incentivize U.S. private sector engagement in critical sectors to ensure they are well-positioned to compete?

Answer. If confirmed, I will work to ensure that U.S. companies can compete on an even, transparent playing field. I will enhance our work to improve the investment climates on a country-by-country basis and inform U.S. firms of Africa's opportunities. U.S. businesses provide world-class products and services that Africans seek to grow their economies. If confirmed, I will examine how we can better coordinate our financing support across U.S. agencies. The Prosper Africa initiative has been working to coordinate many of these efforts, but we can do more. If confirmed, I will also support our soft power efforts, including engaging with youth and diaspora, and encouraging educational opportunities.

Question. Should the United States prioritize support of Africa's efforts to realize implementation of the African Continental Free Trade Area (AfCFTA) or carve out strategic Free Trade Agreements with countries like Kenya? For regional economic blocs like the Economic Community of West African States (ECOWAS)?

Answer. I understand that the United States, while not a party to the AfCFTA, supports its goals of improved harmonization and coordination of trade in Africa. The agreement has the potential to foster a better business climate that would increase opportunities for U.S. businesses. If confirmed, I look forward to supporting USTR on any trade matters and strengthening alliances with our key partners, like

Kenya and the Regional Economic Communities across Africa. With respect to Kenya, I understand USTR is closely reviewing the negotiations that have taken place to date.

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 share the Department's appreciation for Congress's deep and continued involvement in sanctions issues. If confirmed, I will work to leverage available expertise and resources throughout the Government on sanctions issues, including as the Department works to stand up the Office of Sanctions Coordination established in the Consolidated Appropriations Act, and will work with your office and the committee.

Question. Do you anticipate that the Office of the Special Envoy for Climate will coordinate with the E bureau? If so, how? Do you have an understanding of what the reporting structure would look like? In the event of a disagreement between your office and the Special Envoy's office, to whom would the matter be elevated?

Answer. While the Under Secretary position I have been nominated to reports to Secretary Blinken, if confirmed, I plan to work closely with Special Envoy for Climate (SPEC) Kerry and his team to advance our climate work. I understand Special Envoy Kerry's climate diplomacy work is closely coordinated with the Department's. If confirmed, I am committed to further integrating the climate agenda in the "E" (Economic Growth, Energy, and the Environment) family. If confirmed, I will have the privilege of overseeing the two bureaus most engaged in climate diplomacy: the Bureau of Oceans and International Environmental and Scientific Affairs and the Bureau of Energy Resources. I anticipate a positive working relationship with SPEC.

Question. One of the irritants in the United States' relationship with our closest allies is the question of taxation of digital companies. Understandingly, European countries would like to tax companies operating in their territories, but this would have a direct and targeted harm on U.S. companies, since the U.S. is home to most of the largest tech companies. Resolving this issue is of primary importance both for our relationship with Europe, for pushing back on the influence of Chinese tech companies, and for the health of the U.S. tech companies. In this role, you would have a large part to play in the negotiations to resolve this issue. How do you view the issue? What do you believe is the right compromise? What are the consequences for not resolving it?

Answer. I understand that the Biden-Harris administration is committed to finding a multilateral solution to the current set of international tax issues that require collective action. If confirmed, I would seek to work within my role to pursue a strong international minimum tax to end the race to the bottom in corporate taxation, ensuring multinational enterprises pay their fair share. This should also include an equitable way to address the allocation of profits generated through the deployment of intangible property, including to resolve the issues that have been used to justify Digital Services Taxes. If confirmed, I look forward to working alongside colleagues throughout the U.S. Government to advance these efforts.

Question. Do you commit to continuing the previous administration's support for the Three Seas Initiative as a way to assist the infrastructure development of Eastern Europe in a sustainable way and to counter China's Belt and Road and 17 + 1 Initiative?

Answer. Yes. If confirmed, I commit to continuing strong U.S. Government support for the Three Seas Initiative (3SI), a commitment already voiced by Secretary Blinken on several occasions. 3SI meets multiple strategic objectives of the Biden-Harris administration, including promoting the economic development and critical infrastructure resilience of some close U.S. Allies. 3SI contributes to closing development deficits left by communism; fostering the overall integration of Europe; strengthening Central and Eastern European resilience against, and Western alternatives to, Russian malign influence and the PRC's Belt and Road and 17+1 initiatives; and advancing multilateral partnership and transatlantic ties.

Question. What do you view as the DFC's role in this (3 Seas) Initiative? What additional steps can, and should, the U.S. Government take to incentivize the private sector to take the risks necessary to invest in the region?

Answer. If confirmed, I look forward to working closely with the Development Finance Corporation to maximize U.S. investment in Three Seas Initiative (3SI)

projects and in finding other ways, in coordination with members, international financial institutions, and private capital markets to support 3SI goals in the energy, digital, and transport sectors. The needs in the 3SI region cannot be addressed solely by the public sector; the United States must incentivize private capital and U.S. business to invest in this stable region whose economic indicators have long been strong and positive. The U.S. Government should also promote U.S. business investment in 3SI projects.

Question. Do you view the sanctions in the Protecting European Energy Security Act (PEESA), as amended, as a statutory requirement or an optional authority??

Answer. PEESA is U.S. law, and if confirmed, I will uphold the law. PEESA, as amended, is an important tool to stop the Nord Stream 2 pipeline and ensure that Europe has a reliable, diversified energy supply that enhances rather than undermines its collective security. I understand that the Department continues to assess all potential targets involved in the construction of Nord Stream 2, to identify persons that engaged in conduct that meets the specific terms of the statute.

Question. Do you believe that it is possible to prevent the completion of NordStream 2, or is it inevitable?

Answer. Nord Stream 2 is a threat not only to Europe's energy security, but also to strategic stability on the continent. The administration will continue to work with allies and partners, using the tools at its disposal, to prevent the completion of the pipeline and to ensure that Europe has a reliable, diversified energy supply that enhances, rather than undermines, its collective security. If confirmed, I will ensure the Department continues to work to bring an end to the project.

Question. Are U.S. sanctions on entities involved in NordStream 2 extraterritorial, as some have claimed?

Answer. The administration has made clear that any entity involved in the Nord Stream 2 pipeline risks U.S. sanctions and should immediately abandon work on the pipeline. I understand the administration continues to engage European allies and partners to make our opposition to the pipeline and the potential sanctions risk clear and will continue to underscore strong, bipartisan U.S. opposition to this Russian malign influence project.

Question. Do you believe it would be appropriate for the administration to negotiate a deal with Germany (or any foreign power) involving the waiving of mandatory sanctions absent prior consultations with Congress?

Answer. To the best of my knowledge, there is no such deal. If confirmed, I look forward to consulting with Congress on this matter and others.

Question. Do you commit to upholding U.S. law and sanctioning entities that are building or supporting the building of the NordStream 2 pipeline?

Answer. PEESA is U.S. law, and if confirmed, I will uphold the law. I understand the Department continues to work to bring an end to the pipeline, which it views as a threat to European energy security and as a tool of Russian coercion. If confirmed, I will work with the Department to continue to assess and evaluate evidence available to determine the applicability of PEESA, as amended.

Question. How will you use your position as Under Secretary of Economic Growth, Energy, and Environment to use U.S. economic power to partner with, rather than coerce, European allies and partners to strengthen their mechanisms to push back on China, including strengthening and diversifying their economies, incentivizing western investment into eastern and southern Europe, building strong export control regimes, and reinforcing their investment screening mechanisms?

Answer. As Secretary Blinken said, the People's Republic of China is the only country with the economic, diplomatic, military, and technological power to seriously challenge the stable and open international system. To address this challenge, the United States must engage from a position of strength, which requires working with allies and partners since this combined weight is much harder for Beijing to ignore. If confirmed, I am committed to working closely with European partners who share our concerns to build resilience and reduce reliance on the PRC, and look forward to making progress on the issues you raise in upcoming G7 meetings, the U.S.-EU Summit and U.S.-EU China Dialogue, and in other venues.

Question. What are the most immediate and critical areas for State to prioritize in this effort? Will you have the capacity to prioritize both the removal of irritants in our relationship AND work to weaken China's economic power over Europe?

Answer. Our European partners share many of our concerns regarding the PRC's efforts to challenge the current economic order, but we will not always see eye to

eye, even with our closest allies. We must work together to build resilience by both protecting and promoting our technological advantages. We must work together to ensure global norms and standards reflect our values. We must work together to secure our global supply chains and promote fair trade. Managing our differences is essential to achieving our shared objectives and, if confirmed, I will ensure we find the common ground that will allow us to do so.

Question. The EU struck an investment deal with China last December, and yet, the U.S.-EU talks on trade and investment, through Transatlantic Trade and Investment Partnership (T-TIP) negotiations, have crumbled. While the U.S. Trade Representative has primacy over trade talks, in this role, how will you push for enhanced trade and investment between the United States and the EU? What do you see as areas ripe for immediate cooperation in trade and investment? Do you believe there is room, despite protectionist instincts on both sides of the Atlantic, to complete any trade and investment agreements during the Biden administration? Will you push both sides to compromise for the sake of economic growth and unity against malign economic actors?

Answer. If confirmed, I will continue the administration's active engagement with EU and European counterparts on how to advance our shared economic interests. Failed FTA negotiations and tariff wars have badly damaged the U.S.-EU trade relationship over the past seven years. Resolving the trade disputes including Airbus-Boeing, Section 232 steel and aluminium, and Section 301 determinations in response to digital services taxes, in a manner that supports domestic jobs and growth in the United States, would remove key irritants in the relationship and allow us to focus on future challenges.

Question. Will you support a trade agreement between the United States and the United Kingdom? Do you believe that a US-UK free trade agreement would be a benefit to the United States as well as the UK? How will you work with the UK and EU to ensure that both sides of the Brexit deal uphold their commitments, which is to the benefit of the U.S., EU, and UK?

Answer. President Biden has been clear that he will make significant new investments in the United States for American workers before he signs any new trade deals. Now that a U.S. Trade Representative has been confirmed, I understand that the administration is reviewing the status of the negotiations and the text of the U.S.-UK FTA to determine the best way forward. If confirmed, I look forward to working closely with Department colleagues and USTR to engage with the UK Government on strengthening our ties across a wide range of economic issues. Further, President Biden has warned that any trade deal is contingent upon respect for the Good Friday Agreement.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. JOSE W. FERNANDEZ 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 chairing the American Bar Association's Interamerican Law Committee at the height of the internal wars in Central America, I organized a network of lawyers from the hemisphere who sought to promote human rights and help mediate labor law conflicts in the region. Together with bar associations from Central America, from 1986 to 1989 we organized conferences in El Salvador, Honduras, Guatemala and Costa Rica that focused on the use of arbitration. The conferences received much attention in these jurisdictions, and at least in one country resulted in draft labor law legislation that incorporated arbitration procedures. While the results were modest and violence against labor unionists continues to this day, our efforts served to highlight alternative dispute resolution methods to adjudicate often-bloody conflicts.

In 1999 journalist Horacio Verbitsky filed a complaint with the Inter-American Commission on Human Rights against the Republic of Argentina over his conviction for publishing criticisms of Argentine Government officials, including then-President Menem. At the request of a Columbia Law School professor, my team and I researched the applicable law and prepared a first draft of Mr. Verbitsky's legal brief. The case was ultimately decided in favor of Mr. Verbitsky.

In 2013, the Rana Plaza building in Dhaka, Bangladesh collapsed, killing more than 1,100 garment workers and injuring an additional 2,500-plus. The disaster followed several accidents in garment factories in the country. Shortly afterwards, as

Assistant Secretary of State for Economics, Energy and Business, I led a U.S. Government visit to Bangladesh, where we informed Bangladeshi officials that the United States would revoke GSP privileges over worker conditions. I followed up with several meetings in Washington DC with two industry groups that had been created by European and U.S. clothing retailers to improve worker conditions in Bangladesh. My main concern was that, although both groups had similar objectives, they were often in competition and were dissipating efforts that could not be wasted. Our meetings led the groups to agree on common standards and greater coordination. I understand that, largely through the efforts of both industry groups, safety has improved at the larger factories in Bangladesh, although more work remains to be done in smaller enterprises.

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. Successful international economic policy is predicated on having a diverse and representative staff. President Biden has made diversity, equity, inclusion, and accessibility a national security imperative. Secretary Blinken has committed to recruit and retain a workforce that truly reflects the American people. Diversity and inclusion make our diplomatic team stronger, smarter, more creative, and more innovative. If confirmed, I commit to working with the new Chief Diversity and Inclusion Officer, the Bureau of Global Talent Management, the Secretary's Office of Civil Rights, and other Department leadership to foster an inclusive workplace in the E "family," promoting, mentoring, and supporting the advancement of diverse staff.

Question. Fighting corruption is one of the most important ways that we can promote democracy and human rights worldwide. What steps would you take to address global corruption within the role for which you are nominated?

Answer. If confirmed, I commit to work with experts across the Department and interagency to promote and defend democracy. Through the targeted deployment of accountability tools, foreign assistance, and diplomatic engagement, we can address endemic corruption and human rights abuse. I will prioritize working with allies, seeking opportunities to promote our shared ideals together. I will work to expand opportunities for U.S. companies to compete for and win business globally by advancing the fight against foreign bribery and corruption, strengthening transparency and good governance, and promoting responsible business conduct.

Question. Do you commit to work with Congress to strengthen U.S. policies to combat global corruption?

Answer. If confirmed, I commit to working with Congress to strengthen U.S. policies to combat global corruption, including efforts to bolster enforcement of foreign bribery laws and improve global standards of transparency, accountability, and good governance. These efforts directly support the American middle class through job creation by helping to level the playing field for U.S. business.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. JOSE W. FERNANDEZ BY SENATOR MARCO RUBIO

Question. In 2015, you wrote an article stating that the loosening of restrictions on telecommunications investments in Cuba "had the greatest potential to accelerate the growth of civil society in Cuba." Although I believe that increasing connectivity and allowing the free flow of information to the Cuban people will help increase the communication among the Cuban people, ETECSA, Cuba's only telecommunication company sets high prices, and shuts down the access to those who voice opposition against the regime. Just recently the regime shut down internet access in response to the San Isidro protests. Can you describe your views towards Cuba today?

Answer. As a refugee from Castro's Cuba, I have no illusions about the Cuban Government. Many human rights activists from across the island rely on expanded internet access to communicate with each other and strengthen networks with other groups in Cuba and abroad, but the Cuban Government has restricted the country's internet access to keep independent media and journalists from reporting on government repression. If confirmed, I will seek to engage directly with Cuban civil society, and will work to design policies to empower Cuban civil society and recognize their

leadership on these issues. Further, I will directly engage the Cuban Government on human rights issues, including freedom of expression.

Question. As you know, 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 regime. 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 and decades of an oppressive government's economic mismanagement. I understand that the Biden-Harris administration has committed to reviewing U.S.-Cuba policy, including the U.S. posture regarding economic sanctions, to ensure they help empower the Cuban people to determine their future. If confirmed, I will support the Department's review, and I look forward to consulting with Congress on this issue.

Question. As you know, Taiwan has long pursued a bilateral trade agreement with the United States. Late last year, the Taiwanese Government expended tremendous political capital to lift a ban on the import of American pork, which was the last major stumbling block to an agreement with Washington. If confirmed, will you urge the U.S. trade Representative to prioritize free trade agreement negotiations with Taiwan?

Answer. If confirmed, I will commit to deepening trade, investment, and other economic ties with Taiwan, which is a critical economic partner. Trade with Taiwan advances U.S. interests and helps create economic opportunity and prosperity in the United States. If confirmed, I will work with the U.S. Trade Representative to strengthen U.S. economic ties with Taiwan as an important priority.

Question. China engages in economic predatory behavior through initiatives like Belt and Road, conducts malign influence operations around the world, steals IP, and is working to reshape the international rules-based system to its benefit. If confirmed, how will you use your role to counter China's malign activities?

Answer. If confirmed, I will seek to work with partners and allies to promote democratic governance and transparency. In contrast to the PRC's approach to development, I will work to ensure that we continue to focus on strong fiscal, social, and environmental safeguards in the projects we support. This includes building partnerships and local capacity, and promoting U.S. leadership in science, technology, and innovation. Further, if confirmed, I will work to promote the highest standards in development investments that are both beneficial and sustainable over the long term, and advocate for these standards in international standard-setting bodies. If confirmed, I look forward to working with Congress on this issue.

Question. Do you think that the Belt and Road Initiative challenges U.S. strategic and economic interests? If so, could you expand on that?

Answer. The PRC's opaque and unilateral approach to its overseas lending and investments creates unknown financial risks and undermines the efforts of the international community to advance development in a transparent, accountable, and sustainable manner that includes appropriate social and environmental safeguards. If confirmed, I will actively contribute to the Biden-Harris administration's efforts to counter this malign PRC influence, including by working with partners and allies to offer sustainable, market-based alternatives and help countries increase transparency and accountability of existing PRC lending.

Question. How do you think the U.S. should work with our allies to make them aware of the repercussions of tightening economic engagement with China?

Answer. As Secretary Blinken said, the PRC is the only country with the economic, diplomatic, military, and technological power to seriously challenge the stable and open international system. The United States must address this challenge from a position of strength, which requires working with allies and partners. If confirmed, I will work to ensure our partners and allies are aware of the risks posed by Beijing's economic statecraft. These risks include vulnerability to predatory and unsustainable lending, malign investment, economic coercion, ICT networks with equipment that can be manipulated or controlled by the PRC, pressure to prioritize the PRC's interests in international organizations, and unfair competition from the PRC's state-owned enterprises.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. JOSE W. FERNANDEZ BY SENATOR EDWARD J. MARKEY

Question. If confirmed, you will serve as the Alternate Governor at the World Bank, the EBRD and the IDB. All three of these banks are involved and have influence in countries where sexual minorities are discriminated against and where there is violence and persecution based on sexual identity and gender preference. Will you commit for the United States to use its vote and voice to improve the situation in these countries and ensure that all citizens can benefit from development programs supported by these multilateral banks?

Answer. The United States is committed to ensuring that programs financed by the multilateral development banks are inclusive and reach the most vulnerable and marginalized groups in society, including those who may be victims of persecution based on their sexual orientation, gender identity, or sex characteristics. If confirmed as Alternate Governor, I will work with the U.S. Governor to promote inclusivity in the development programs we support.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. JOSE W. FERNANDEZ BY SENATOR ROB PORTMAN

Question. As the senior economic officer of the State Department, your responsibilities often overlap with those of the Department of Commerce, the Treasury Department, the United States Trade Representative (USTR), among other agencies. I am interested in hearing what you see as your role in this effort and how you will work with other agencies to advance our goals?

Answer. If confirmed, I look forward to working with the U.S. Trade Representative, the Department of Commerce, the Department of the Treasury, and others in the administration to ensure that all U.S. trading partners live up to their commitments in trade agreements, and I will encourage a whole-of-government approach to addressing these challenges. If confirmed as the State Department's senior economic officer, I will work to ensure the interagency considers the foreign policy implications of all decisions while taking into account the economic impacts on U.S. businesses, as well as those of our allies and partners.

Question. You have spoken in the past about how our trading partners must live up to their commitments, especially as it pertains to workers' rights. Currently, in the Xinjiang region of China, Uyghurs are currently being forced to produce products in atrocious conditions. How do you recommend we deal with this situation and how should we hold China accountable?

Answer. The PRC is engaged in human rights violations and abuses in Xinjiang, including forced labor, that shock the conscience and must be met with serious consequences. The United States has used several tools to confront the PRC's use of forced labor, including sanctions and Withhold Release Orders to prevent products made with forced labor from entering the United States. If confirmed, I will work with our interagency partners to use all appropriate levers available to us as we seek to eliminate all forms of human trafficking. In addition, I will work with allies and partners to promote accountability and call on Beijing to respect the human rights of Uyghurs and all other religious and ethnic minorities across China.

Question. The State Department, in concert with the Treasury Department and USAID, works to negotiate and executive conservation agreements under the Tropical Forest Conservation Act (TFCA) program. If you are confirmed to be Under Secretary for Economic Growth, Energy, and the Environment, will you commit to prioritizing additional TFCA deals using the funding that Congress has provided?

Answer. If confirmed I would welcome new TFCA deals and would actively seek such, including for coral reefs.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. JOSE W. FERNANDEZ BY SENATOR JOHN BARRASSO

Question. If confirmed, what role would you have in formulating U.S. policy at the multilateral development banks?

Answer. If confirmed, I will lead three bureaus at the Department of State that play an important role in formulating the agency's views on projects and policies

at the multilateral development banks, including the Bureau of Economic and Business Affairs, which coordinates that process. In support of the Department of Treasury's role as the U.S. Government lead on multilateral development banks issues, the Department of State provides advice, expertise, insights, and recommendations that contribute to our government's oversight of those institutions.

Question. How are the authorities divided up between the State Department and the U.S. Department of Treasury when it comes to international financial institutions?

Answer. The Department of the Treasury is the lead agency for U.S. engagement with the international financial institutions. The Department of State provides advice, expertise, insights, and recommendations in support of the Department of the Treasury's role.

Question. How does ending financing of fossil fuel projects at multilateral development banks help alleviate poverty and promote development?

Answer. If confirmed, I will support multilateral development banks' (MDBs) continued focus on energy policies that increase energy access, accelerate development, and reduce poverty. I will encourage MDBs to recognize and address the linkages between climate change and poverty, food insecurity and migration. The lack of recurring fuel costs for many clean energy systems allows countries to spend funds on development priorities rather than on the unpredictable costs of fuel.

Question. What role will you play in the administration's U.S. international climate finance plan?

Answer. The U.S. International Climate Finance Plan ("Plan") outlines how U.S. agencies will work with each other, the private sector, and other partners to most strategically mobilize investment for energy transformation and climate adaptation. The Plan recognizes the importance of suitable investment climates, leveraging private capital, and positioning the United States to seize the economic opportunity of a low-emissions future by promoting U.S. exports and private investment into low-carbon and climate-resilient technologies and services, which can be a catalyst for job growth here at home. If confirmed, I would leverage the resources of the Department to advance these objectives.

Question. What specific steps will you take to help U.S. businesses increase exports of American energy resources, including coal, oil, and natural gas?

Answer. America's energy resource abundance and exports have helped stabilize global markets, increased energy access and, in some cases, reduced energy costs, spurring economic growth and prosperity. If confirmed, I will work within my role at the State Department to help ensure that U.S. energy exporters are treated fairly in foreign markets. I also look forward, if confirmed, to further expanding the scope of U.S. solutions and U.S. businesses that can be supported through our diplomatic efforts as we embrace a diverse array of energy technologies, such as carbon capture, that can assist countries with their decarbonization goals, energy security, and development priorities.

Question. How will you ensure the State Department is helping developing countries with all types of energy projects, including oil, gas, and coal?

Answer. If confirmed, I will work with developing countries to optimize technologies according to nationally integrated resource plans, which will cost-effectively meet clean energy deployment and energy access goals, while also driving economic growth. As developing countries navigate the transition to a clean energy economy and build a climate-resilient future, finance will play a crucial role. If confirmed, I will support the administration's climate finance plan to promote the flow of capital toward climate-aligned investments and to assist developing countries' implementation of emissions reduction measures.

Question. With billions of people without power, do you believe the United States should be promoting fossil fuels that are affordable and reliable, such as coal and natural gas, while supporting new technologies that reduce their carbon output?

Answer. If confirmed, I will support a foreign energy policy that advances energy access and energy security alongside decarbonization goals. While renewable energy and energy storage are increasingly the cheapest, most effective way of promoting energy access, carbon capture and storage technologies, if commercialized, could abate or decarbonize power generated by existing fossil-fuel infrastructure. If confirmed, I will work within the Department and with other agencies to coordinate efforts to support countries to meet their climate, energy access, and energy security needs in ways that further our climate and energy goals.

Question. Instead of regulating and placing impossible restrictions on the undeveloped energy sectors of the developing nations, we should be encouraging growth so that these countries can compete in the international marketplace, create jobs, and alleviate poverty. Do you agree?

Answer. If confirmed, I will commit to encouraging growth in developing nations and creating jobs and alleviating poverty. I understand that the Biden-Harris administration seeks to support developing nations' energy sectors to achieve this goal, while also comprehensively addressing multiple diplomatic goals, including climate change. Often, energy resources with the lowest costs—which can also offer health and environmental benefits—cannot compete due to barriers in existing regulatory and market structures, as well as country risk factors. If confirmed, I hope we can work together to ensure multilateral development banks support investments to increase access to affordable and reliable energy for development and support cleaner energy to support our climate change efforts.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO HON. JOSE W. FERNANDEZ BY SENATOR TED CRUZ

State Department

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 commingled 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. What are your goals for your bureau, if confirmed?

Answer. During my confirmation hearings I listed five priorities for the “E” family, which I would like to summarize here:

- Support the administration’s efforts to end COVID–19 globally, in a manner that reinforces America’s global leadership, strengthens our alliances, and counteracts Russian and Chinese “vaccine diplomacy.”
- Promote environmental and energy policies that tackle climate change, and ensure that our companies and workers lead the world in the clean energy revolution.
- Insist on free, fair and reciprocal trade rules that our trade partners—both allies and adversaries—must adhere to, and that enable U.S. companies and workers to compete on a level playing field. Based on my experiences in the private sector, I am convinced that U.S. businesses and workers can thrive in the global marketplace if given fair shot.
- Help create alliances to maintain U.S. leadership in the technologies of the future. This includes confronting efforts to undermine American innovation, impose biased norms and standards and appropriate our intellectual property.
- Expand the international footprint of our workers and companies by providing information about opportunities abroad and facilitating U.S. participation in international projects. In particular, meeting the developing world’s infrastructure needs should be a strategic imperative for the United States and a business opportunity for our companies.

Question. Please assess the degree to which China uses child labor for producing critical minerals, and manufacturing products that include critical minerals.

Answer. I understand that the U. S. Government is conducting a review of the critical minerals supply chain in accordance with Executive Order 14017 (America’s Supply Chains). I understand that the State Department has found that PRC au-

thorities are increasingly placing the young children of interned Muslims in Xinjiang in state-run boarding schools, orphanages, and “child welfare guidance centers.” Reportedly, older children among these groups are placed in vocational schools, where some may be victims of forced labor. If confirmed, I am committed to helping end the forced labor of children in all sectors, including those involving critical minerals.

Question. Please assess the degree to which China uses slave labor for producing critical minerals, and manufacturing products that include critical minerals.

Answer. If confirmed, I intend to do everything in my authority to help end State-sponsored forced labor, which is increasingly prevalent in China. In 2013, the National People’s Congress ratified a decision to abolish “re-education through labor” (RTL), a punitive system that subjected individuals to extra-judicial detention involving forced labor, from which the government reportedly profited. I understand that the government closed most RTL facilities by October 2015; however, the government reportedly converted some RTL facilities into state-sponsored drug rehabilitation facilities or administrative detention centers where, according to civil society and media reports, forced labor continues.

Question. Please assess the degree to which supply chains for critical minerals, and products made with critical minerals, run through the Xinjiang Uyghur Autonomous Region (XUAR).

Answer. State-sponsored forced labor is intensifying under the PRC government’s mass detention and political indoctrination campaign against predominantly Muslim minority groups in the Xinjiang Uyghur Autonomous Region (Xinjiang). Authorities have detained more than one million members of ethnic and religious minority groups, including Uyghurs, Hui, ethnic Kazakhs, and ethnic Kyrgyz, in as many as 1,200 “vocational training centers.” If confirmed, I am committed to eliminating forced labor from critical mineral supply chains, including any that run through Xinjiang.

Question. Over the last several years, the United States has taken a bipartisan, bicameral, whole-of-government approach to stopping the Nord Stream 2 pipeline. Production halted for a year after President Trump signed into law the Protecting Europe’s Energy Security Act (PEESA) and remained halted until after now-President Biden was elected. According to public reports, the Germans and Russians believe that the Biden administration will not impose crippling sanctions mandated by PEESA, as amended—and unfortunately, thus far, they have proven correct. Can you commit to using your role, if confirmed, to ensure the imposition of sanctions pursuant to PEESA, as mandated by Congress?

Answer. PEESA is U.S. law, and if confirmed, I will uphold the law. Congress has provided tools that ensure that Europe has a reliable, diversified energy supply that enhances rather than undermines its collective security. The Department of State continues to work to bring an end to the pipeline, which is a threat to European energy security and a tool of Russian coercion. If confirmed, I will work with the Department to continue to assess and evaluate evidence available to determine the applicability of PEESA, as amended.

Question. Please assess the effect that allowing Nord Stream 2 to come online would have on American national security and European energy security.

Answer. The administration has made clear its belief that Nord Stream 2 is a geopolitical, Kremlin malign influence project that threatens European energy security, including that of Ukraine and eastern flank NATO Allies and partners, while dividing the continent. The administration will continue to work with allies and partners, using the tools at its disposal, to ensure that Europe has a reliable, diversified energy supply that enhances, rather than undermines, its collective security.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO HON. JOSE W. FERNANDEZ BY SENATOR BILL HAGERTY

Question. What is your understanding of the current status of the Blue Dot Network under the Biden administration’s State Department?

Answer. 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 the State Department and the interagency 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. If confirmed, do you commit to advancing and fully implementing the Blue Dot Network?

Answer. If confirmed, I fully intend to advance and implement the Blue Dot Network initiative to certify quality infrastructure projects in the developing world. As the global economy recovers from the pandemic, infrastructure financing will play a central role in creating an economic recovery that is sustainable and long-lasting. Rigorous standards will ensure that infrastructure investment in developing countries serves the best interests of their citizens and are consistent with their economic, climate, environmental, and social goals.

Question. Do you plan to replicate the model created by the Clean Network Initiative across other tech sectors, infrastructure, and energy?

Answer. The Biden-Harris administration views emerging technologies, infrastructure, and energy as critical to America's future national security and economic prosperity. If confirmed, I will support Department efforts to work with allies and partners to create an international environment that is competitive and open to innovation by American technology, infrastructure, and energy providers.

Question. What is your understanding of the Indo-Pacific Business Forum and what it accomplished when it was held in November 2019?

Answer. The 2019 Indo-Pacific Business Forum (IPBF) underscored the U.S. commitment to broad-based economic and commercial engagement in the Indo-Pacific. The IPBF is the premier conference where business leaders and government policy makers meet to discuss economic issues in the Indo-Pacific region. At the 2019 Forum, over 1,000 U.S. and Indo-Pacific business and government leaders discussed investment opportunities and new policy initiatives in infrastructure, energy, digital, and healthcare. Building on this success, in 2020 the United States organized an IPBF which attracted record attendance with 2,900 participants—including three U.S. cabinet secretaries—and over \$10 billion in deal signings and announcements.

Question. If you are confirmed, do you plan to continue and improve the Indo-Pacific Business Forum that the Biden administration inherited?

Answer. If confirmed, I intend to work with U.S. Government economic agencies to continue and improve upon the Indo-Pacific Business Forum (IPBF). The event draws together business leaders, policymakers, and media from across the Indo-Pacific and serves as a venue to highlight U.S. economic policy developments, sign commitments for new investments, and build relationships between the private sector and governments. As with the 2020 forum, I understand that the 2021 forum will likely be a hybrid in-person and online event for maximum flexibility and engagement, and to help American businesses bring key commercial transactions to closure.

Question. If you are confirmed, do you commit to consulting with Congress on ways to make progress in the Indo-Pacific with respect to sectors such as energy, tech, and infrastructure?

Answer. If confirmed, I will be committed to open and robust communication with Congress, including through consultations on energy, technology, and infrastructure issues in the Indo-Pacific. Central to our efforts, the United States will promote private-sector alternatives in these areas. I intend to focus on partnerships that strengthen local capacity and promote entrepreneurship, transparency, good governance, fair practices, and internationally recognized environmental, social, and labor standards.
