



S. HRG. 113-319

NOMINATIONS OF THE 113TH CONGRESS—FIRST SESSION

HEARINGS

BEFORE THE

COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

ONE HUNDRED THIRTEENTH CONGRESS

FIRST SESSION

—
MAY 7 THROUGH DECEMBER 17, 2013
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Printed for the use of the Committee on Foreign Relations



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NOMINATION OF NISHA DESAI BISWAL

THURSDAY, SEPTEMBER 12, 2013

Hon. Nisha Desai Biswal, of the District of Columbia, to be Assistant Secretary of State for South Asian Affairs

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

The committee met, pursuant to notice, at 10:03 a.m., in room SD-419, Dirksen Senate Office Building, Hon. Tim Kaine presiding.

Present: Senators Kaine, Risch, Rubio, and McCain.

OPENING STATEMENT OF HON. TIM KAINE, U.S. SENATOR FROM VIRGINIA

Senator KAINE. I am calling this meeting to order. This is a Senate Foreign Relations Committee confirmation hearing of Ms. Nisha Biswal. So glad to have you all here. I welcome you all to this hearing.

A word of introduction. We will have a more closeup and personal one in a second from Congresswoman Lowey. We are so glad to have her with us. Ms. Biswal is a distinguished public servant and this is a very important position within the State Department family. I have had a good visit with the nominee and feel very excited about the prospect of her serving in this important position.

I tried to take out all bias for her because she graduated from the University of Virginia, but I am finding that hard to do. Of course, she would be one of a number of UVA graduates that have devoted themselves and their careers to public service, and this way UVA has a great track record of putting people into the Peace Corps, the State Department, other NGOs that do work in the international area. Ms. Biswal is a distinguished addition to that great group.

After the University of Virginia, she started her public service career with the Red Cross, inspired by the horrible tragedy in Rwanda and wanting to make a difference and thereby starting her work in the international field. She had a long and successful run working in both international affairs and appropriations for the House of Representatives, left those positions to work with InterAction, the largest alliance of U.S.-based international humanitarian and development NGOs.

She currently serves in a very important role since 2010 as USAID's Assistant Administrator for Asia. Much of the real estate that you would represent in this important post in the State Department she has worked on in her capacity with USAID.

We are very happy to have Ms. Biswal and her family before us. I want to welcome family members especially. This is an exciting day for you and I know you are very, very proud, as you should be.

Senator Risch, the ranking member of the Subcommittee on Near East and South and Central Asian Affairs, will be joining us, but will be a bit late, and he has indicated that it is good to proceed because we are joined by Congresswoman Nita Lowey, who has good personal experience working with Ms. Biswal during her on the House side, and they are close, and we are very, very happy to welcome Congresswoman Lowey, who I think may have votes coming up. So I wanted to get right to it. So, Congresswoman Lowey, it is great to have you here and we would love to have your introductory comments.

**STATEMENT OF HON. NITA M. LOWEY, MEMBER,
U.S. HOUSE OF REPRESENTATIVES**

Representative LOWEY. Thank you, Mr. Chairman. It is such an honor for us to appear—I will thank you again, Mr. Chairman. It is such an honor for me to appear before you today and to assume this very important, pleasurable task.

It gives me such pleasure to introduce today's witness and President Obama's nominee to be the Assistant Secretary of State for South and Central Asia Affairs, Nisha Desai Biswal. Nisha was the Clerk of the Appropriations Subcommittee on State and Foreign Operations, of which I was chair, from 2005 until 2010, when she joined the administration as an Assistant Administrator for Asia at USAID.

Over those 5 years, Nisha consistently demonstrated tremendous foreign policy acumen. She proved herself to be a leader, manager, who had the respect and admiration of both the staff and members on both sides of the aisle. While with the subcommittee, Nisha spearheaded a number of important initiatives that changed the way America engages with important allies and partners throughout the world, as well as how we address the more challenging and dangerous regions in which we work.

It would be impossible for me to encapsulate all the incredible work she did in the short time I have here this morning. So I will limit myself to just a few examples. Nisha led the subcommittee through the reorganization of the appropriations bills which united State Department funding with our foreign operations work. Through this complex process, Nisha immersed herself in the gritty details of how we fund our work overseas and was a driving force behind making our programs more accountable and effective.

She helped draft benchmarks for continued funding in Iraq as we work to draw down our troop presence there and conditioning of our aid to Afghanistan under her watch. She worked to shift how we engage with Colombia, focusing on critical development initiatives to promote stability and the rule of law.

We also worked closely with partners in Jordan and Israel to create the Palestinian Security Training Program that has equipped the Palestinian Authority with its own security forces to provide stability for itself and for Israel.

Most importantly, Nisha proved to be a fearless, persistent negotiator in dealing with our arch-nemesis, the United States Senate.

In all seriousness, I know that the time she spent with the subcommittee has prepared her well for the responsibility she will assume at the State Department if confirmed by the Senate. While at USAID, Nisha was responsible for repositioning our assistance programs in Asia to more closely align with our foreign policy goals for the region. Nisha worked with her colleagues at USAID, the State Department, and the whole of the U.S. Government to ensure our assistance to Central Asia is focused on strengthening regional trade between those countries and Afghanistan.

She transitioned the aid program in India into a true partnership between American and Indian private sector institutions and universities to find cost-effective solutions that will benefit India and the world. In east Asia, Nisha accompanied the President on his historic visit to Burma and joined him in opening our aid mission there to support Burma in its transition to democracy. Her work on the Lower Mekong Initiative and new programs in the Pacific Islands has supported the administration's increasing focus on Asia.

That is a lot to accomplish in 3 years and I have no doubt that, with her energy and determination, she will be equally successful at the State Department. I have greatly enjoyed knowing Nisha over the years and watching her grow, both professionally and personally. I had the pleasure of attending her wedding and seeing her embrace motherhood with her two beautiful daughters, who were born while she was working on the committee.

Nisha is a talented, dedicated, brilliant public servant who will capably serve the administration and the country. She has the substantive knowledge and personal skills to be incredibly successful in this challenging position.

I also want to acknowledge her husband, her two daughters, her brother, her in-laws, because it is a big job and without the support of her family I know it would be very, very difficult, as talented as Nisha is, to accomplish all she has done and all she will do.

So I am very proud to call her a friend and honored to be here today. Thank you, Mr. Chairman, for allowing me to be part of this important occasion. I yield back.

Senator KAINE. Thank you, Congresswoman Lowey. Even more important I think than a candidate's resume or credentials is the quality of people who stand up and vouch for them and validate the work that they have done. Having you in her corner is a wonderful attribute that Ms. Biswal brings to the table and we appreciate you being here with us on the committee today. Do not miss any votes on our account. You have done good work.

With that, I will turn to our nominee. With Senator Risch, I may offer Senator Risch the opportunity to make some opening comments when he comes, but now would be a great time, Ms. Biswal, for your opening comments, and then we will follow that up with a vigorous Q and A.

Thanks again, Congresswoman Lowey.

STATEMENT OF HON. NISHA DESAI BISWAL, OF THE DISTRICT OF COLUMBIA, NOMINATED TO BE ASSISTANT SECRETARY OF STATE FOR SOUTH ASIAN AFFAIRS

Ms. BISWAL. Thank you, Mr. Chairman. Chairman Kaine, Senator Risch, members of the committee. Thank you very much for the opportunity to appear before you today. I am honored to be the administration's nominee for the Assistant Secretary of State for South and Central Asia. I particularly want to thank Nita Lowey for her glowing introduction. I am tempted at this point to simply say let us just go straight to questions and let me dispense with any remarks that I may have. But she has truly been a friend and a mentor over the years and I am honored that she would take time out of her busy schedule to be here today.

As was noted, I am joined here today by family and friends, whom I would like to take a moment to introduce. My parents, Kanu and Lata Desai, could not be here today, but I am joined by my brother, Pinank Desai, my mother-in-law and father-in-law, Anu Biswal and Dr. Nilambar Biswal, and most importantly my husband and children. You know, the best decision that I ever made was in marrying Subrat Biswal, and he and Safya and Kaya, our two daughters, are the source of boundless joy for me and I am grateful for their support in my career and in all things that I do.

Finally, I am grateful for the friendship and support of so many former colleagues in the authorizing and appropriations committees of the House and the Senate and colleagues from the administration who are here today. I want to particularly note the presence of Amos Hochstein and Sonal Shah, two very close friends who have been just an incredible source of support.

Mr. Chairman, I will offer brief remarks and ask that my full statement be entered into the record.

Senator KAINE. Without objection.

Ms. BISWAL. As I said, I am indeed honored to be the President's nominee for the Assistant Secretary of State for South and Central Asia at a time of incredible challenge, as well as opportunity, for the countries of the region and for U.S. interests there. As you well know, the entire region is focused on the upcoming transition in Afghanistan and the implications for future security, stability, and prosperity.

While my direct responsibilities if confirmed would not include Afghanistan or Pakistan, one of the Bureau's top priorities will be to work with Ambassador Dobbins and his team to support that transition by strengthening Afghanistan's economic connectivity to its neighbors. Already we have seen strong cooperation from South and Central Asian states in support of our efforts in Afghanistan. India, which has provided over \$2 billion in economic aid, continues to play an important role, and all five Central Asian states have provided vital support for our mission and for our military through the Northern Distribution Network.

Understandably, Mr. Chairman, there is a lot of anxiety in the region and uncertainty about what this transition will bring. Yet it is important to remember that, while there are many players with divergent interests, all are interested in a stable and secure

Afghanistan that brings benefit to the entire neighborhood. I look forward, if confirmed, to promoting U.S. policies that will make regional economic integration a reality, knitting together all of the countries of the region through a web of economic, energy, transit, trade, and people-to-people linkages.

In South Asia, advancing the United States-India strategic partnership will be of paramount importance. The United States-India relationship, founded on our shared democratic values, our converging strategic and economic interests, and strong people-to-people ties, has broadened and deepened dramatically over the past decade. In the defense sector alone, we have seen defense trade increase to over \$8 billion today. And the broader United States-India trade has quintupled over the past decade, to about \$100 billion. But it can and should be significantly higher.

India's economic growth can benefit greatly if it takes steps to remove additional constraints to foreign direct investment, it enhances the intellectual property protection, eases local content requirements, and addresses other trade-inhibiting policies.

If confirmed, I will engage with our counterparts in the Indian Government to ensure that our two countries work together to meet the significant potential of what President Obama has called the defining partnership of the 21st century.

Mr. Chairman, let me briefly touch upon a few key challenges and priorities in the region, particularly with respect to strengthening democratic governance and advancing human rights. As Sri Lanka works to rebuild its society after a devastating civil war, I will, if confirmed, continue to stress the importance of reconciliation and accountability and for the government to meet its commitments to all of its population.

Across Central Asia, this administration has steadfastly championed core American and universal values, such as religious freedom and broader human rights and political freedoms, as part of all of our bilateral engagements, a practice which I will strongly endorse and continue if confirmed. In Bangladesh, where we have seen remarkable economic and developmental gains, the administration continues to urge greater progress on labor rights and transparency as we seek a more comprehensive partnership with that country.

Nations such as the Kyrgyz Republic, Nepal, Bhutan, Maldives have embraced democratic values and we will continue to support them on this journey.

Finally, I wanted to share with you, Mr. Chairman, three lessons that I have learned over the course of my career which, if confirmed, which I take with me into this new position. The first, which I learned working with the Red Cross with refugees in the Caucasus, is the link between human security and national security. This of course has played out across the globe as we see tragic circumstances that impact national security emanating from human insecurity.

The second, informed by my work at USAID, is that our policies and programs have to speak not just to the governments of these countries, but to the hopes and aspirations of the people.

The third lesson, which I have learned in my extensive time on the Hill, is the importance of transparency and trust in relations

and interactions between the executive and legislative branches. To that end, Mr. Chairman, if confirmed I pledge to work closely with you, Senator Risch, consult regularly with this committee and the Congress. And I thank you for your consideration of my nomination and I would be pleased to answer any questions that you and the committee might have.

[The prepared statement of Ms. Biswal follows:]

PREPARED STATEMENT OF HON. NISHA DESAI BISWAL

Chairman Kaine, Ranking Member Risch, members of the committee, I am honored to be here today as President Obama's nominee for Assistant Secretary of State for South and Central Asian Affairs. It is a privilege to appear before this committee again, and I'm grateful for the confidence President Obama and Secretary Kerry have placed in me. I also want to thank Representative Nita Lowey for taking time away from her important responsibilities to introduce me. Representative Lowey has been much more than a boss over the years. She is a friend and mentor. Working for her and with the dedicated staff of the House and Senate appropriations committees has been one of the highlights of my career. I also want to thank the members and staff of the House Foreign Affairs Committee, where I cut my teeth and had the opportunity to work with some extraordinary individuals, many of whom have crossed over to this side of the Capitol. I'm grateful for their continued friendship and support.

I am joined today by many family and friends to whom I owe my success. First, my parents, Kanu and Lata Desai, who could not be here today but who changed my life when they immigrated to America, leaving behind all that they knew in pursuit of opportunity. I am joined by my brother, Pinank Desai, and my father and mother-in-law, Dr. Nilambar Biswal and Anu Biswal. And finally, as Sheryl Sandberg wrote in her book, "Lean In," the most important career decision a woman makes is in choosing her life partner. I showed profound good judgment when I married Subrat Biswal. He and our two girls, Safya and Kaya, are the light of my life.

Mr. Chairman, I am indeed honored to be the President's nominee for Assistant Secretary of State for South and Central Asia at a time of incredible challenge as well as opportunity for the countries of the region and for U.S. interests there. A career spent in the executive and legislative branches, as well as working in the development and humanitarian community, has prepared me well for this important responsibility. There are three lessons that I have learned in my career which I carry with me into this new position. The first, which I learned as a delegate for the Red Cross working with refugees and vulnerable populations in the Caucasus after the fall of the Soviet Union, is the link between human security and national security. The second, which builds on the first, and which underpinned my work at USAID over the past 3 years, is that, for our diplomatic and development efforts to be successful and sustainable, our policies and programs have to speak to the hopes and aspirations of the people and not just the governments of the region. The third, which became very clear during my time on the House Foreign Affairs Committee and House Appropriations Committee, is the importance of transparency and trust in the interactions between the executive and legislative branches of government.

As you know well, the region is focused on the upcoming transition in Afghanistan and the implications for future security, stability, and prosperity. While my direct responsibilities, if confirmed, would not include Afghanistan or Pakistan, one of the South and Central Asia bureau's top priorities will be to help connect Afghanistan to an increasingly stable and prosperous region. If confirmed, I look forward to working with Ambassador Dobbins, the Special Representative for Afghanistan and Pakistan, to build on the progress we have made so far to foster stability and economic opportunities in South and Central Asia.

Already, we have seen strong and steady cooperation from South and Central Asian states in support of our efforts in Afghanistan. India continues to play an important role in supporting the economic development of Afghanistan with its provision of over \$2 billion in aid to Afghanistan. Kazakhstan, with its support for the Afghan Security Forces and training of Afghans in Kazakh universities as well as hosting the Istanbul process ministerial and the P5+1 talks, has demonstrated its importance as a leader in the region. In fact, Mr. Chairman, all five Central Asian states have provided vital support for our mission in Afghanistan, including through the Northern Distribution Network. That support will be all the more important in the months and years ahead.

Understandably, there is a lot of anxiety in the region. Afghanistan's neighbors are uncertain what the transition in 2014 will bring and whether we will leave behind a political and security vacuum that will destabilize the region. Many still doubt our long-term commitment and fear we will turn our attention elsewhere. And in a region that is the least economically integrated in the world, Central and South Asian states wonder how the economic transition will affect their interests and economies. I look forward, if confirmed, to promoting U.S. policies that will make regional integration a reality, knitting together all the countries through a web of economic, energy, transit, trade, and people-to-people linkages.

Mr. Chairman, while there are many players with divergent interests in this region, one unifying sentiment is that a stable and secure Afghanistan will benefit the entire neighborhood as we understand that it affects our own national security. That is why this administration has invested significant effort and resources to find a political solution to the conflict in Afghanistan and increase economic connectivity and cooperation. The administration's vision is for Afghanistan to be at the heart of a region with more trade and investment, more infrastructure and energy links, and more economic opportunities for its people. We are clear-eyed about the challenges of promoting greater regional cooperation, but we also see the potential and opportunities. It's telling that since former Secretary Clinton first articulated the "New Silk Road" vision in 2011, the region has adopted its own vision of greater connectivity and integration. The administration welcomes partnership with other key players in the greater region, like China, to achieve this important goal that, in the end, will bolster peace, stability, and prosperity for all the peoples of South and Central Asia.

Important regional infrastructure linkages are already developing. Uzbekistan has built a rail line from its border to Afghanistan's key northern city of Mazar-i-Sharif and now Turkmenistan and Tajikistan have agreed to build a rail line linking their two countries via Afghanistan. Turkmenistan, Afghanistan, Pakistan, and India are making progress on the proposed TAPI gas pipeline. Pakistan recently announced its intention to sign the intergovernmental agreement on CASA-1000, which would substantially link the electrical grids of Afghanistan and Pakistan with those of Kyrgyzstan and Tajikistan for the very first time. And we hope that Pakistan and India will continue taking steps toward trade normalization. Perhaps most importantly, and for the first time, all of the countries in the region are either WTO members or on a path or exploring steps toward accession. We still have many challenges ahead but, if confirmed, expanding greater regional connectivity and linking economies and markets will be one of my top priorities.

Shifting to our bilateral relations, if I am confirmed by the Senate, advancing the U.S.-India Strategic Partnership will naturally be of paramount importance. India's growing economic power make it a vital anchor for the vision of regional economic engagement, as well as a cornerstone of our strategic rebalance to Asia. The U.S.-India relationship, founded on our shared democratic values, converging strategic interests, and strong people-to-people ties, has broadened and deepened dramatically in the last decade. Nowhere has this cooperation been stronger than in the defense sector, where we have seen defense trade increase from a cumulative \$300 million through 2008 to over \$8 billion today, and we are now engaging in robust joint training and exercises. As an example of the synergies inherent in our partnership, U.S.-made C-17s and C-130s now flying in Indian Air Force colors add a powerful new capability to India's regional security role, as well as added capacity to provide humanitarian and disaster relief, complementing U.S. efforts in these areas. India and the U.S. are already strong partners in combating terrorism and the proliferation of weapons of mass destruction, and, if confirmed, I will endeavor to strengthen and expand these efforts.

While there is much to laud in the U.S.-India partnership, which President Obama has called a defining partnership of the 21st century, the potential for greater cooperation and opportunity remains vast. While U.S.-India trade has quintupled over the past 10 years to almost \$100 billion, it can and should be significantly higher. The political transition in Burma has opened the potential for long-anticipated greater economic connectivity between South and Southeast Asia. The vision of an Indo-Pacific Economic Corridor and its potential for driving global economic growth will require free, efficient, integrated, and open markets. India's economic growth can benefit greatly from removing constraints to foreign direct investment, enhancing protection of intellectual property; signaling clear tax policies for international investors; facilitating market access, easing requirements for local content, and facilitating trade links to the broader region. These are tough challenges, but, as Vice President Biden and Secretary Kerry have underscored during their visits, our two countries can and should work collaboratively to meet the significant economic potential of this vital relationship. I believe that the Indian people and their

government will take the necessary steps to stimulate further economic growth for the benefit not only of the Indian people, but for many millions across the broader region who rely on India as a source of stability, prosperity, and democratic values.

By connecting the countries of South and Central Asia, we will not only unleash the flow of energy and commerce, but also the flow of ideas and innovations, of science and technology. If confirmed, I will build upon the rich science and technology collaboration with India and the nascent Science and Technology dialogue we have launched with Kazakhstan, an important regional partner, to expand collaboration between our private sector and academic institutions with organizations across the region to address common challenges of food security, water management, climate change, and infectious diseases.

Mr. Chairman, I would be remiss if I did not also touch upon key challenges in the region with respect to democratic governance, human rights, and corruption. As Sri Lanka works to rebuild its society after a devastating civil war, we continue to stress the importance of sustainable post-conflict reconciliation, ensuring accountability for wartime atrocities, and fulfilling the government's own commitments to its people. In Uzbekistan, where we are seeing some steps toward addressing the problem of forced labor, we will remain closely engaged to press for steady progress toward ending this practice and continue to press on human rights concerns. Across Central Asia, where freedom of religion remains heavily circumscribed, we are steadfastly championing this core American and universal value. The administration strongly supports Bangladesh as it continues to make remarkable economic and developmental progress, but we express our concerns as it grapples with challenges such as labor rights and political gridlock. As countries such as the Kyrgyz Republic, Nepal, Bhutan, and Maldives embrace democratic values, the United States is committed to supporting and strengthening their democratic institutions and helping these societies combat corruption and advance the rule of law. If confirmed by the Senate, I will continue to use our broad engagement with countries throughout the region to underscore that, while we will continue to work with them to safeguard against the threats of terrorism and extremism, we believe that progress toward democracy and human rights, so that people have peaceful avenues for expressing dissent, is essential to achieving that goal.

Finally, there is no higher priority for the Department than the security of American citizens, our personnel, and our facilities overseas. In the past year, the Bureau of Diplomatic Security and the regional bureaus have already done a great deal of work to ensure closer information-sharing and coordination on security, and to make sure that our decisions about our presence abroad are informed by a thorough and ongoing review of the value of the work we conduct overseas, the threats we face, and the costs of mitigating those threats. If confirmed, I will continue to make this a top priority, working together with our colleagues in Diplomatic Security and at our overseas posts.

Mr. Chairman, let me close by again thanking you for the honor and the opportunity to testify before the committee. I am humbled by the trust and confidence that President Obama and Secretary Kerry have placed in me by this nomination. I consider this appointment to be the highest honor and a sacred responsibility to undertake on behalf of the President and the Nation. If confirmed, I will collaborate closely and consult regularly with this Committee and Congress in fulfilling my responsibilities.

Thank you. At this time I would be pleased to answer any questions you and the committee might have.

Senator KAINE. Thank you, Ms. Biswal, for that statement.

Again, thank you, Congresswoman Lowey, and our best.

I think I will begin with questions. We will ask questions in 7-minute rounds. Senator Risch has decided, to the extent that he would like to do opening, he can do that as part of his Q and A. We may do more than one round, and we may be joined by other Senators, but we will just now begin with the dialogue.

You actually stole my first one. I was going to ask you about lessons learned in your previous capacities and how you would apply them to this position.

The United States-India relationship, let us begin there, a very important one. We talked in my office, and I would like you to maybe elaborate a bit more, on what you see as a potential sort of trajectory in that relationship. As new generations of leaders in

both countries come about, talk about some of the reasons for optimism about the United States-India relationship. Then I have a followup question about the civilian nuclear deal and the prospects for that between our countries.

Ms. BISWAL. Thank you, Mr. Chairman. As I mentioned in my statement, the United States-India partnership, as the President has indicated, is the defining partnership for the 21st century, both because the United States and India share profound values of democracy, diversity, secularism, and human rights, but also because as an emerging power and an economy of global consequence, the model that India represents for democratic development is one that the United States actively supports and promotes across the globe, and that partnership is one that will benefit deeply not only the people of the United States and India, but really the globe.

I do think that there is tremendous potential and scope to broaden and deepen that relationship in all sectors, whether it is in science and technology, whether it is in defense and security cooperation, and certainly in terms of how our two economies are increasingly intertwined and interlinked.

Senator Kaine. Could you talk a bit about the prospects for progress on the civilian nuclear deal between the United States and India?

Ms. BISWAL. Sure, thank you. I think that the 123 Agreement was a transformational agreement between the relationship between the United States and India. But since that deal was enacted I think that there has been very slow and halting progress because of the nuclear liability law in India and the hindrances that that has posed to advancing civil nuke cooperation.

I am hopeful, though, that we are making progress and that there seems to be some progress between Westinghouse and the Indian Government and NPCIL on approving a small contract. We are hopeful that that is something that can be announced in the near future and that that will pave the way for additional work in the months ahead. It is going to be a long and tough road to work through the issues with the nuclear liability law, but I think it is fundamentally in India's interests as well as in the interest of the United States to work through those issues so that we can progress with civil nuclear cooperation.

Senator Kaine. You mentioned in your opening statement that the Afghanistan-Pakistan issues are very important to your work and yet they are under the purview of a different leader in the State Department, Jim Dobbins, the Special Representative to Afghanistan and Pakistan. If you could, share a little bit about what you hope to do working in tandem with Jim Dobbins, especially on the India-Pakistan relationship?

Ms. BISWAL. Sure. Thank you, Mr. Chairman. I think that that is an important question that is on many people's minds. I have profound respect for Jim Dobbins. I think he is an incredible professional with an incredible track record of service to the Nation on tough issues, and I think he is exactly the right person in the right job at this time.

If confirmed, working closely with him on the priorities that we have set for an Afghanistan that is stable, secure, and economically linked and integrated into its neighborhood is one that I will work

diligently toward. One aspect of that is going to be looking at how the countries of the region interact with Afghanistan.

Already much work has been done to promote trade and people-to-people linkages. Turkmenistan is currently working toward a rail line that will connect Turkmenistan to Tajikistan, via Afghanistan. Uzbekistan has already established rail linkages into Mazar-i-Sharif. There is tremendous power that is already being provided by Uzbekistan and the lights are on in Kabul because of Uzbek power. So there are already much that is happening. Kazakhstan has been a tremendous supporter and an important player for our efforts in Afghanistan.

But as we move toward this transition, those efforts are going to need to be stepped up. That will be a very key priority. Looking at the long term, trying to bring on line the Turkmen-Afghanistan-Pakistan-India pipeline to provide gas into South Asian markets is going to be an important thing. CASA-1000, which is the provision of hydropower coming from Kyrgyzstan and Tajikistan into predominantly Pakistan, I think, is going to be important to the energy security of Pakistan. We have seen very positive steps that the Government of Pakistan has already taken to bring that about, to make that into a reality.

So those will be some of the areas where I will be putting considerable attention during my tenure if confirmed.

Senator KAINE. Great. Thank you, Ms. Biswal.

Chairman Menendez will very much want me to ask a question about Bangladesh. It is an issue, and especially labor conditions there, that he cares about deeply. We had a full committee hearing on these issues on June the 6th. If you could just talk a little bit about status of reforms—the President suspended trade benefits under the Generalized System of Preferences earlier this year as a result of concerns about some of these labor issues. If you could talk about status of reforms in Bangladesh, that would be helpful.

Ms. BISWAL. Sure. Senator, Mr. Chairman, let me start first by thanking you, thanking Senator, Chairman Menendez, because it was very important both in our engagement with Bangladesh and for the Bangladeshi people to see the very strong concern and reaction that was elicited from the United States and from the United States Congress after that horrific tragedy in Rana Plaza. Indeed, the suspension of GSP and the incredible outpouring of concern from the United States and really the world has forced the Bangladeshis to take action, and it has focused attention.

We have seen some progress to date. We have seen greater ability for unions to form and organize, and we have supported those efforts. We have redoubled our own support for organizations like the Solidarity Center and the International Labor Organization to work with those nascent unions. We have seen the private sector, the ready-made garment industry, come together both in Europe and in the United States and put forward some standards that it will adhere to in terms of building safety, in terms of worker safety.

So these are all very positive movements. There is still a long ways to go, and if confirmed I will continue to work diligently in this area with counterparts in the interagency and with counter-

parts in the private sector to ensure that we are meeting those worker safety issues.

Thank you.

Senator Kaine. Thank you, Ms. Biswal.

Senator Risch.

Senator Risch. Thank you, Mr. Chairman.

First of all, can you give me your view? What do you hear about how the Indians are looking at our withdrawal from Afghanistan? Are they worried about it? Are they preparing for it? What's your observation there?

Ms. Biswal. Thank you, Senator. There is understandable anxiety in India and across the region about what this transition will bring. But we are in very close dialogue with the Indians, and from my role at USAID I was able to participate in some of the trilateral conversations between the United States, Afghanistan, and India about the transition, about our prospects and priorities for the coming 18 months. India has played an important role in Afghanistan's economic development and continues to do so, and we will continue to work very closely with our Indian counterparts and with the Afghan Government on what an appropriate and stabilizing role that India can play in the region.

Senator Risch. Are they concerned at all about the relationship that Afghanistan is going to have with Pakistan, that is from a competitive standpoint?

Ms. Biswal. Senator, I actually think that there is somewhat of a convergence of interests here, in that neither India nor Pakistan want to see an insecure and unstable Afghanistan. I think that the opportunity that we have before us is to engage both countries on that particular interest. Ultimately, the efforts for Afghanistan's political transition and reconciliation will be Afghan-led and it will be for the Afghans to determine how they will engage with other partners in the region. We are certainly supportive of working with all of the interested parties toward that.

Senator Risch. Thank you.

Let us turn for a minute to the nuclear liability law. You are right about the agreement that was entered into. I think it is probably a model for what is going to happen around the world on nuclear agreements for generating electricity for peaceful use of nuclear power. What are the prospects for some movement on the nuclear liability law in India?

Ms. Biswal. It is a difficult undertaking. I think we—

Senator Risch. Why is that?

Ms. Biswal. Well, India is still grappling with the devastating legacy of the Bhopal tragedy, and that has defined in many ways how the Indian population has viewed nuclear power. We understand those concerns and we understand that legacy.

Nonetheless, as you look at India's energy needs into the future, civil nuclear power is an important option, and for that option to really play out this is an issue that I think India is going to need to grapple with and it is a conversation that the government is going to need to engage with its parliament and with its population.

We are hopeful that that will happen, that this will move forward, because we do think that this is an area that is fundamentally in the Indian interest and we want to support that.

Senator RISCH. Is there an understanding there about the inevitability of nuclear power when it comes to being able to provide the kind of base load that is needed for a country like India to thrive?

Ms. BISWAL. Certainly in some quarters that is the case. I would not want to speak to the whole of the country, but I think that there is a very strong desire to move forward on this. But I think it is going to be a political challenge for the Indians, and we look forward to working with them.

Senator RISCH. Transitioning from that to the purchase of oil from Iran, that is something that has been very troubling to me and I think troubling to a lot of people. Have you had conversations with the Indian Government about this?

Ms. BISWAL. Senator, I know that the administration has had many and an active and ongoing dialogue. If confirmed, I intend to continue that very close engagement. I will say that Secretary Kerry found, earlier this summer, India to have significantly reduced its import of Iranian crude when he made the determination and exercised the waiver. I think that that determination is based on multiple sources and comprehensive analysis of India's imports.

I am aware that Indian imports of Iranian crude have gone down significantly since the sanctions have been in place. Iran used to be the No. 2 supplier and it is somewhere in the neighborhood of five or six on that list currently.

Senator RISCH. I understand. I was one that was deeply disappointed when the waiver was granted. I do not understand it. We have a clear policy as far as our embargo with Iranian oil and other products. I had a spirited conversation with the Ambassador from India. I still do not understand it.

It seems to me that there are—with oil being as fungible as it is and as widely available as it is, there is absolutely no reason for India to purchase oil if indeed they want to support the world community and indeed want to support us as a friend and a partner, for them to be buying anything from Iran.

I understand it is a longstanding relationship and what have you. But the Iranians have demonstrated that it is going to take who knows what to stop them from the path that they are on. So the Indians' purchase of oil from Iran in my judgment endangers the entire world community and is a destabilizing factor for the Middle East. So I hope you will convey that message when you talk with them and tell them at least some Members of this body are deeply disappointed in what they are doing.

I understand they keep telling me, well, they have reduced it. Well, again, you do not need to reduce it; you need to just quit it. That would be my message to them.

Thank you very much. My time is up.

Thank you very much, Mr. Chairman.

Ms. BISWAL. Thank you, Senator.

Senator KAINE. Thank you, Senator.

Senator RUBIO.

Senator RUBIO. Thank you.

First of all, thank you for being here today. Congratulations on your appointment.

Ms. BISWAL. Thank you.

Senator RUBIO. Thank you for your service and your continued service.

My question really is going to start in the form of a statement and then get your impressions on it. I would begin by just saying something I think you will agree with, and that is that our foreign policy should not just reflect our interests; it should also reflect our values. I imagine that you agree with that.

Ms. BISWAL. Indeed.

Senator RUBIO. And in fact, it is one of the things that makes America exceptional, despite Vladimir Putin's assertion to the contrary. So I wanted to walk you through one of the values that I think are critically important to Americans and that is religious liberty, because I think this region of the world that you will be tasked overseeing our foreign policy on is a part of the world where religious liberties are under incredible duress, with few exceptions.

We start, of course, with Afghanistan. There is real worry there among some of the political class about the growth of Christianity. For example, the president of their Parliament, Abdul Rauf Ibrahimi, he condemned proselytizing and he asked the Committee for National Safety to follow the issue carefully. In fact, one of the parliamentarians there has made a suggestion about a new law that would outlaw Christianity and to punish it. So there are concerns about Afghanistan.

In Pakistan, we have all heard the terrible stories that emerge from there. A 16-year-old from Lahore was abducted, gang-raped, and forcibly converted to Islam and then forced to marry a Muslim. Her family reported it to the media and to authorities, but she, as a result, was insulted and harassed. There is of course the infamous story of Asia Bibi, who drank water from the same cup as a Muslim woman. The woman then claimed that the water was unclean and that the only way to clean it was for her to convert to Islam. She refused and of course has been accused of blasphemy.

These blasphemy laws, by the way, are used in Pakistan as a way to settle scores and personal vendettas. It is not just a religious thing.

The U.S. Commission on International Religious Liberty issued a report that said that in the last 18 months in Pakistan there are 203 documented incidents of violence in the name of religion, the resulted in 1,800 casualties and more than 700 deaths. One of the cases in point is this Christian Sajjad Masih, who was accused of insulting the Prophet Mohammed. His accuser recanted. His accuser said: It is not true; the police made me say that. Nevertheless, he is convicted and he is serving a life in prison because of it.

In India that we have been talking about here, I am concerned about what appears to be a growing wave of Hindu nationalism that's sweeping the country. As a result, on August 3 there is the report of a Christian woman that was confronted with demands that she convert back to Hindu. She refused and as a result was abused and beaten.

There is this horrifying story of a Christian woman who was raped and brutally murdered by two men on August 29. She was raped in front of her 3-year-old daughter. She suffered multiple stab wounds to her torso and had been strangled with her own sari. Her body was left naked, her screaming child beside her. Two suspects were arrested. They have both been released and it is unclear whether they will face any official charges in the future.

As a result, India now ranks among the 50 countries—according to an organization called Open Doors International, India now ranks among the 50 countries where life as a Christian is most difficult. The country is actually number 31, largely because of the streak of Hindu nationalism that envisions India as a purely Hindu state. We are concerned about that.

In Sri Lanka, in the last 4 months 30 churches have been attacked by Buddhist extremists. I quite frankly was not aware that there was such a thing, but apparently that exists.

In Nepal there has actually been some progress. I know that there was an agreement there between the government and the Christian community, but apparently that agreement has not been fully carried out and we have reports that the Christian community there has been forced to bury their dead outside of cemeteries and have to bury their dead in forests because their cemetery is too close to some Hindu shrine.

In Uzbekistan—and we could go on and on. I do not want to run out of time here. But that is one of the places where—Freedom House says, Uzbekistan is among the 17 worst countries in the world when it comes to freedom. I didn't know this, but the law in Uzbekistan only allows people to own government-approved religious material. So for example, a Protestant minister there was sentenced to 1½ years of what they call "corrective labor," which does not sound very pleasant, for illegally storing religious liberty. In Uzbekistan the government regulates how many copies of a Bible you can have and they regulate which translations of the Bible you are allowed to have.

So I guess my question is, When it comes to this part of the world, how do we ensure that our policies reflect our interests, and our interests in the area are important, but also our values? In particular, our aid programs and so forth should be conditioned upon progress on all these counts. I am concerned that this discussion is not happening.

So I wanted to get your perceptions about, No. 1, how can we be a more forceful voice on behalf of religious liberty and in particular condemning even our allies in those countries where a lot of this stuff is happening at the street level where individuals, because of their own prejudices or views, are carrying out these attacks. But what is more concerning is when the government actually backs it up, either through laws or—as in the case of the blasphemy laws, or by selective enforcement, where they decide that when individuals carry these things out they will not punish them, they will not do anything about it, they will overlook it, or in fact they harass the victims or their families when they report these things.

So I think my question is, How do we ensure that all of our programs, from how we talk about it in terms of condemning these acts to how our foreign policy with regard to these nations and our

aid programs, are conditioned upon real progress when it comes to the issue of religious liberty? I could say the same about human trafficking, by the way, and so forth. But this is one that I think is a growing problem in many parts of the world, but in particular in Central Asia and the other countries that you will be tasked with overseeing.

So I wonder if you would share with us your impressions on the situation and on how we can improve our foreign policy so that, in fact, it is the foreign policy of an exceptional nation, because it reflects both our interests and also our values?

Ms. BISWAL. Thank you, Senator, for that question. I think you have raised some very important concerns and concerns that extend across the region, as you rightly pointed out. I will say that one of the things, as you noted, that makes America great is that it stands for human dignity, human freedom, freedom of religion, and freedom of expression. Those are values that the United States does not shy away from and the administration does not shy away from in our engagements with all of the countries in the region.

I know that the administration has conducted bilateral negotiations, bilateral dialogue and consultations with all of the countries that you have referenced, and in all of those consultations religious freedom and human rights have been at the top of the discourse. If confirmed, that would certainly be my intention, to continue to stress upon in all of our conversations the very important concerns that we have with respect to religious freedom.

Senator RUBIO. Just one closing question. Do you believe, given your experience—I believe you were at USAID as well, so you have been involved in aid programs. Do you believe that it is wise for us—I am a believer in foreign aid, but I think foreign aid has to reflect both our interests and our values. Do you believe it is wise for us to ensure that any foreign aid and other programs reflect that in the sense that they be conditioned upon progress on these issues?

Foreign aid is not charity. Should not our foreign aid reflect our values as well as our interests, in that we provide aid to countries, but they have to be making measurable progress toward things that reflect both our interests and our values? Otherwise they can look somewhere else for the money.

Ms. BISWAL. Senator, I would agree that our foreign aid is a reflection of our values, and in the sense that our foreign aid is aimed at not benefiting governments, but the people of these countries, and in many ways reaches those very populations that are often marginalized and discriminated against. So in that sense I would say I do not know if conditionality is the way to go, but targeting of that assistance to ensure that it is reaching populations for whom we have the greatest concern is something that we have consistently sought to do and perhaps need to do more of in some of these countries.

Senator RUBIO. Just in closing, I would say there is no doubt that we have foreign aid that is directly related to populations and individuals, and certainly you can target that aid in the way you described. But we also do give foreign aid and assistance to governments, and I would just argue, and would like to have a further conversation with you about, the notion that when we do give for-

eign aid to governments one of the things that we should be looking at is whether these governments are conducting themselves in a way that reflects not just our interests, but also our values. Otherwise perhaps it's not a wise investment on the government side of aid.

Thank you.

Senator Kaine. Thank you, Senator Rubio.

Senator McCain.

Senator McCain. Thank you, Mr. Chairman.

Congratulations to you. I see your family is here today and I know they are very proud of you as well. I consider you another compelling argument for comprehensive immigration reform.

I want to talk just a minute about India and then a little bit about Sri Lanka. We all know India has been having some tough times. It is plagued by political gridlock and divisions, slow growth and a battered currency. It sounds like another country that I know.

It has led too many people believe that India is out of the arena, that it will never match up to China and many of us are wrong to have the aspirations that we had for the United States-India strategic partnership. I do not believe any of that. I have confidence in India, in our strategic partnership, and both our nations' ability to renew ourselves.

But I would like to ask you generally whether you share my optimism about India and our strategic partnership, but also can you describe what plans the administration has to step up our coordination and cooperation with India in Afghanistan, especially after 2014?

Ms. Biswal. Thank you, Senator, for that very important question. I do share your optimism. I think that the United States-India strategic partnership is an incredibly important one and one that has tremendous further potential for growth, for broadening, and for deepening, and that will be a priority if I am confirmed in terms of where I focus time and effort.

I think that, despite the concerns that are currently in place, I think the fundamentals of the Indian economy are strong and sound and that, as I noted in my statement, that India needs to perhaps take a more aggressive stance on opening and liberalizing its economy, and that that will enable further population between the United States and India on the economy front.

With respect to Afghanistan, I will note that the United States and India and Afghanistan participate in a trilateral dialogue where there is an opportunity to both share information and discuss concerns and priorities. That is something that if confirmed I will continue to engage in robustly. It allows the Indians to have greater visibility into where the United States-Afghanistan relationship, how the transition is unfolding, and for the United States and for Afghanistan to have an understanding of India's concerns and interests in the region.

India has already provided \$2 billion in economic aid to Afghanistan. We understand that it will continue to be an important and stabilizing influence on Afghanistan.

Finally, I note that in the Istanbul process in the heart of Asia, India does chair the confidence-building measures with respect to

the Afghan economy, with trade and with economic and with commerce.

Senator MCCAIN. What is the administration and your position on a free trade agreement with India?

Ms. BISWAL. I think that that is something that in the future we see as a very important and positive development. There are certainly concerns between the United States and India in terms of some of the protective tariffs and trade barriers that we think that India needs to address. But I would be very hopeful that we can see—

Senator MCCAIN. Does India seek to join the negotiations for the Trans-Pacific Partnership?

Ms. BISWAL. I know that that is something that the Indian Government has said that it is looking forward to at some moment.

Senator MCCAIN. Do you encourage that?

Ms. BISWAL. I would like to see us make progress on the bilateral investment treaty, Senator, and I would like to see the TPP as a natural outcourse of ongoing discussions between the United States and India.

Senator MCCAIN. Let us talk about Sri Lanka for a minute. It went through a terribly bloody conflict and now unfortunately there continues to be reports from human rights organizations, both ours and international organizations, that there is still significant human rights abuses taking place there against the Tamils, which rise to a level that is very disturbing. Is that your view?

Ms. BISWAL. That certainly comports with my understanding of the situation, Senator.

Senator MCCAIN. Should the United States be a little more active in condemning these ongoing serious abuses?

Ms. BISWAL. Senator, the United States has been very active and very engaged with Sri Lanka and in the international community in expressing our concern about both accountability and reconciliation between minority populations and majority populations in Sri Lanka. And we have made clear that we believe that if Sri Lanka does not address through its own internal processes that there will be increasing call for international processes to address these issues.

Senator MCCAIN. Does it make sense for the administration to offer India an opportunity to participate in the F-35 program?

Ms. BISWAL. I would like to look further into that, sir, and get back to you for the record.

Senator MCCAIN. I would appreciate it.

[The written information supplied by Ms. Biswa pertaining to the above question follows:]

India is a valued defense partner, and we are deepening cooperation in a number of fields, including a bilateral channel to enhance coproduction and codevelopment of defense platforms, sometimes referred to as the Defense Trade Initiative. To date, the Government of India has not formally expressed interest in participating in the F-35 program. Should India indicate interest in the F-35, the United States would be willing to talk to India about this program.

Senator MCCAIN. Despite your misguided political affiliation, I would like to say that you are a great example to all of us of people who come to this country—I know you were very young—and the opportunities that this country provides. Today Mr. Putin said that

it was wrong of the United States of America to call itself an exceptional nation. I think you and others like you are a great example of the fact that we are an exceptional nation. I do not think a lot of people are banging down the door to go to Russia, but I do believe that we continue to have an influx of blood and dynamism into our country that has made this nation an exceptional nation, and you're a great example of that.

So we look forward to confirming you as rapidly as possible.

Ms. BISWAL. Thank you, Senator.

Senator KAINE. Thank you, Senator.

Ms. Biswal, a couple more questions. One, does the rebalance to Asia overall strategy announced by the administration—I know that presents many opportunities and is probably seen positively throughout the real estate that you will represent, particularly to the extent there is a concern about withdrawal of Afghanistan signifying a weakening U.S. connection.

But the fact that we are rebalancing toward Asia I assume has some positives. Does it create any anxieties in the region, or is it seen as a good thing?

Ms. BISWAL. Well, I cannot speak to what anxieties individual countries might be feeling, but I do think, Senator, that the rebalance is an overwhelmingly positive refocusing and sharpening of the United States commitment and engagement to the Asia-Pacific region. If you look at some of the economic prospects for Asia over the coming decades, some projections indicate that Asian economies will comprise 50 percent of global GDP over the coming decades. So increasingly for the United States and for the world the success of Asian societies and Asian economies to create inclusive, transformational, and sustainable economic growth will drive economic growth globally, and it is in the United States interest, it is in the interest of the countries in the region, for the United States to forge a strong partnership for stability, for security, and for prosperity for all of our peoples.

Senator KAINE. Thanks, Ms. Biswal.

One of the questions that Senator Risch asked, really a line of questioning, concerned Indian purchases of oil from Iran. He pointed out correctly there has been a long historical relationship and probably some reluctance on India's behalf to terminate that relationship. But I do think there are some interesting opportunities here. In April of this year there was an announced transaction where India was purchasing liquefied natural gas, LNG, from a United States producer and supplier. One of their announced reasons why they were happy about that purchase was it would enable them to reduce reliance upon oil from the Middle East.

Just in working with your Indian counterparts, they can maintain a relationship with Iran by saying: Look, we are going to eliminate our purchases or dramatically cut them even more unless and until you make plain that you do not have a path toward nuclear weaponry, but as soon as you do we are not only going to buy what we are buying, we want to buy more. So just in your dialogue with Indian counterparts that would be an important thing.

I raised a similar proposition with Chinese Government officials recently and one of the first things they said is: We would love to do that if you will sell us natural gas. So the natural gas issue and

natural gas exports, it is controversial for other reasons here in the body and we are going to be thrashing that through.

But to look at natural gas not only as a valuable commodity for our own country, but as a way through strategic partnerships to advance our goal of tightening sanctions on Iran until they make the right decision about their nuclear weapons program, there are some real opportunities there in the natural gas reserves of the United States and using that in trade. So I just recommend that for your use.

Ms. BISWAL. Absolutely, Mr. Chairman. Apropos to your point, I was pleased to note that yesterday the Department of Energy approved Dominion Cove Point for exporting LNG to non-FTA countries, and India stands to benefit from over half of the exports from that facility.

Senator KAINE. The news accounts—and Senator Rubio mentioned a couple of them—about violence against women in India in the recent months and maybe in the last year or two have been very, very troubling. Based on your experience in the region, is it an uptick in violence, is it an uptick in the reporting of violence? Is it sort of changing cultural or religious sensibilities?

To what do you attribute the fact that this is an issue that is much more prominent in news here and around the world?

Ms. BISWAL. Well, certainly the reporting, the coverage of some of the horrific incidents that have come to light in recent months, have shocked, shocked Indians as well as those who care about these issues, which is all of humanity. What I would say is that the coverage and the reaction to that horrific incident in Delhi with Nirbhaya has I think in some ways transformed and galvanized how the Indian public and the Indian media look at these issues.

So certainly you are seeing far more coverage because you have an Indian press that is very sensitized to this and you have a public that is very sensitized to it. So I do not know that it would necessarily reflect an uptick, but I am heartened by the fact that there is now so much attention and so much demand for action and accountability.

Senator KAINE. One last question I have is just moving to Central Asia. You talked in your opening statement about how so much of our policy with respect to the five Central Asian states that were formerly part of the Soviet Union has been driven by Afghanistan. As we are moving into the next chapter of our relationship with Afghanistan after 2014, talk a little bit about the opportunities and challenges in those five countries and how you hope to focus on them in your new role?

Ms. BISWAL. Thank you, Senator. We had a chance to talk about this a little bit in our discussion yesterday. But what I would say is that the United States because of its engagement in Afghanistan has had an opportunity to establish deeper relationships with the countries of Central Asia. Understanding that we have many concerns about many of these countries, I think it has been a positive that we have been able to engage in dialogue and discourse with all five Central Asian states and that we have annual bilateral consultations and a strategic partnership with Kazakhstan, which allows us to talk about how the United States can engage with and support the economic development priorities of all of these coun-

tries and also engage in discourse about the areas where we have disagreement and divergence.

But that dialogue is an important one to advance these issues, because they will not be advanced overnight and easily, but if we are present and if we have a continuing commitment to engage in the region, then we will be far more likely to be able to see some results in the course of time. And it is certainly critical that we see Central Asia, Afghanistan, Pakistan, and a region that historically has been one of the least connected in the world in terms of trade and economy, that we see that region become more integrated.

That is something that will advance the interests of all in the region. So we would like to see a Central Asia that has greater connections into South Asia through the linkages with Afghanistan and Pakistan, and that is something that we can only advance through our ongoing engagement.

Senator Kaine. And that engagement is desired by the other countries as well. I mean, they have traditionally been in very close sphere of influence with Russia. They are proximate to China. India is close. But there is also a desire for that engagement with the United States.

Ms. Biswal. Absolutely, across the board.

Senator Kaine. I have no other questions. What I would like to do is thank you for your presentation today, and I think the tenor of the questions has been positive and we will move I think promptly on your nomination.

I want to announce, for Senators, either those here or not here, that questions for the record—additional questions to be submitted to you—will be due by noon tomorrow. But again, I very much appreciate the opportunity to chair this meeting. The Foreign Relations subcommittee that I chair is overlapping much of your real estate. Congratulations on the nomination and my best to your family.

With that, the meeting is adjourned.

[Whereupon, at 11:01 a.m., the meeting was adjourned.]

ADDITIONAL QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

RESPONSES OF NISHA DESAI BISWAL TO QUESTIONS SUBMITTED BY SENATOR ROBERT MENENDEZ

Question. On August 12, 2013, The Wall Street Journal reported that India was considering increasing crude oil imports from Iran. This reported arrangement would include the purchase of Iranian oil with Indian rupees which would then be used by the Iranians to purchase Indian goods. Over the past 2 years, India has made noteworthy progress in sharply decreasing crude oil purchases from Iran, a move which has contributed greatly to international efforts to increase pressure on the regime. I am very concerned that anything but a continued steady decline in oil imports to India will send the wrong message of diminished international resolve to the Iranian regime. I am also concerned that such a move would significantly impact United States-Indian relations at a time when the relationship has steadily strengthened.

- Has the Indian Government communicated its intention to the U.S. Government that it will increase imports of Iranian oil in the coming period? What measures is the State Department prepared to take to ensure that India continues to decrease imports of Iranian crude oil?

Answer. We have engaged the Government of India about the recent press reports in question and expressed our concerns. We understand Indian officials have floated the idea of increasing oil purchases from Iran to stabilize the falling rupee. India

pays Iran for its oil in rupees, which are then used to purchase food and medicine to be exported to Iran. However, we believe India's importers intend to continue to reduce the volume of purchases of Iranian crude oil. The United States continues to engage in close consultations with the Indian Government on U.S. sanctions, and our governments share the objective of pressing Iran to comply with its international obligations.

India's strategic decision to diversify its crude oil imports has resulted in significant reductions in its crude oil purchases from Iran. Since India was the second-largest importer of Iranian crude oil prior to the enactment of oil sanctions, every percentage point in reduced crude oil imports translates into a significant revenue loss for Iran.

When considering renewing the exception, which expires on December 1, 2013, the Secretary will take into account a variety of public and nonpublic information sources. We are confident we are making an accurate determination, based on the best possible available data, both public and nonpublic. In India, as in all other importing countries, it is important to look at the actual import numbers and trends rather than press reports or other statements which may be misleading. We have worked diligently to establish a worldwide effort to track Iranian crude oil exports and ensure full implementation of sanctions. India appears to be on a trend of further diversifying its crude oil supplies and reducing its imports of Iranian crude oil, despite some variation in its crude oil purchases. There is always some month-to-month variability in crude oil purchases.

Question. The political situation in Sri Lanka continues to deteriorate with increased reports of human rights abuse against the Tamil population and lack of progress by the government to abide by commitments made following the Lessons Learned and Reconciliation Commission. The government of Mahindra Rajapaksa has also refused to comply with the U.N. Human Rights Council's March 2012 resolution on reconciliation and accountability. The United States has played a strong leadership role in advancing resolutions on Sri Lanka at the U.N. Human Rights Council, but these efforts have not resulted in any significant change in behavior on these issues by the Sri Lankan government.

- Under what circumstances would the United States support an international investigation into reports of atrocities and human rights violations committed during the country's civil war?

Answer. Four years after the end of Sri Lanka's terrible civil conflict, the United States remains deeply concerned about the lack of meaningful progress on reconciliation and accountability, and about recent backsliding on human rights and democratic governance. The two U.N. Human Rights Council resolutions in March 2012 and March 2013 drew international attention to these concerns and provided much-needed support to Sri Lankan civil society working on issues of reconciliation, accountability, and human rights. As part of our strategy to encourage both credible progress on reconciliation and investigations into serious allegations of violations of human rights law and international humanitarian law, we are currently reviewing a range of options for further action in the March 2014 Human Rights Council session.

We support United Nations High Commissioner for Human Rights Navi Pillay's recent call for credible investigations into alleged human rights abuses. As she stated, "unless there is a credible national process, calls for an international inquiry are likely to continue." We also frequently raise our concerns with the highest level of the Sri Lankan Government about the lack of progress on accountability and urge them to utilize U.N. resources, including technical assistance, to make meaningful progress. In the past 6 months, Sri Lanka has taken some initial steps, including creation of a Commission of Inquiry to investigate disappearances and abductions during the war. We will continue to press the Sri Lankan Government to ensure that these mechanisms are credible, independent, and transparent.

Question. The United States has clear national security interests in maintaining the Northern Distribution Network capability through the end of 2014 and perhaps beyond, as U.S. forces gradually draw down from Afghanistan. Given the authoritarian nature of the Uzbek Government, I am concerned about the depth of our security relationship with the country.

- How much security assistance has the United States provided to the Uzbek Government over the past 2 fiscal years? How has cooperating with Uzbekistan strengthened our national security interests in the region? Has our security cooperation with the Uzbek Government had any measurable impact on U.S. efforts to support human rights and democratic reform in the country?

Answer. The United States provided \$33.26 million in security assistance to Uzbekistan in FY 2012 and plans to provide \$24.11 million in FY 2013. This assistance included funding for two railroad scanners on the Northern Distribution Network (NDN), which will speed up clearance of retrograde shipments from Afghanistan. The United States also provides nonlethal training and tactical equipment to strengthen counternarcotics and border security capabilities of law enforcement organizations; training to support the professionalization of Uzbekistan's military, including English-language training; and maintenance of radiation detection equipment through the Institute of Nuclear Physics, which will be handed over to the Uzbekistani Government over the next 2 years. Assistance also includes funding for Ravens, small hand-launched remote-controlled unmanned aerial vehicles with no lethal weapons capabilities.

As the United States draws down forces in Afghanistan, the NDN, as an alternative to southern ground lines of communication, is an important transit route. Maintaining more than one route increases our flexibility and guards against the disruption that occurs when a single route is subject to interdiction or delay. In 2011, the United States and Uzbekistan negotiated an overflight agreement, which permits frequent flights of cargo aircraft to and from Afghanistan. Uzbekistan understands that the NDN helps address one of its major national security concerns—establishing a stable and secure Afghanistan on its southern border—and this helps us secure Uzbekistan's support for the NDN.

Improving Uzbekistan's capabilities to secure its southern border also improves regional security, one of our top national security priorities. To this end, we have worked with Uzbekistan to improve its counternarcotics capacity and enhance its ability to monitor and secure its southern border, strengthening Uzbekistan's ability to guard against transnational threats.

A growing security relationship with Uzbekistan has enabled us to develop a principled and constructive relationship with its government and people on issues such as human rights. Our engagement with Uzbekistan on security and logistics issues demonstrates the mutually beneficial nature of the bilateral relationship, and it has afforded us greater opportunities to raise sensitive human rights and democratic reform issues with the government. As we develop our relationship, we have greater room to argue that respect for human rights, fundamental freedoms, and political liberalization serve Uzbekistan's national interest by contributing to greater domestic stability and security. We also have been able to expand our work with Uzbekistan on judicial reform.

We continue to urge Uzbekistan to implement and enforce its international commitments on the elimination of forced labor. We are pleased that Uzbekistan has invited the International Labor Organization to monitor its labor practices during the 2013 cotton harvest, a step we have long advocated. The government also took law enforcement efforts to combat sex and transnational labor trafficking in 2012. In our bilateral dialogue with Uzbekistan, we have suggested concrete steps that the government can take to improve the environment for religious freedom. We continue to stress that allowing citizens to peacefully exercise their beliefs is an effective way to prevent violent extremism. We also are working actively to promote greater interaction between the government and independent civil society.

While cognizant of the importance of the NDN to the efforts in Afghanistan, we will continue to make clear that the nature of our partnership and the assistance we can provide Uzbekistan under current legislation is limited by Uzbekistan's actions on democratic governance, human rights, and fundamental freedoms.

Question. How is the United States supporting the Government of Bangladesh's efforts to implement the tripartite national action plan? The U.S.-Bangladesh Action Plan? The EU-ILO-Bangladesh Sustainability Compact? What is the United States Government's assessment of the Government of Bangladesh's ability to fulfill the requirements of these three plans in a timely and effective manner?

Answer. The United States, through high-level diplomatic discussions and U.S.-funded programs, is closely engaging with Bangladesh to implement an action plan to restore Bangladesh's Generalized System of Preferences (GSP) privileges, the ILO-supported tripartite national action plan, and the EU-ILO-Bangladesh Sustainability Compact. Through discussions in Dhaka with all stakeholders, the United States is working to help Bangladesh strengthen unions, ramp up inspections and improve compliance and transparency. Through these three plans, Bangladesh has publicly committed to working closely with the ILO, the United States, the EU, labor groups, industry associations, and buyers on important reforms to afford internationally recognized worker rights, but considerable steps still remain.

Bangladesh has committed to developing and implementing a plan to increase the number of government labor, fire, and building inspectors, including by hiring 1,000

inspectors (200 in 2013 and 800 in 2014) and 900 support staff; increase fines and other sanctions for failure to comply with labor, fire, or building standards; create a publicly accessible database of all RMG factories; establish a confidential complaint mechanism to report safety and worker rights violations; enact overall labor law reforms to address key concerns related to freedom of association and collective bargaining; and review and reform labor regulations governing Export Processing Zones for conformity with international standards.

Question. How many union organizers have been trained on workers' rights through USAID's Global Labor Program in Bangladesh? What is the current assessment of the effectiveness of this program in increasing and improving their capacity to organize workers? In terms of numbers trained and increased capacity, what is the end-goal of the program?

Answer. Initiated in 2011, USAID's Global Labor Program allocates approximately \$500,000 to Bangladesh to strengthen freedom of association by enabling garment workers to organize unions and represent their interests through collective bargaining. This program, implemented by the Solidarity Center, also works at the national level to codify labor standards related to wages and worker safety. Already, 1,850 activists have been trained on labor law, 185 trained on collective bargaining, 40 trained on comprehensive worker rights, and 20 organizers have been mentored on organizing.

The program already shows signs of success. The number of organizing committees formed has increased significantly in the first half of year in comparison to the 2 prior years of the program. In the last reporting quarter alone, organizers formed 21 new unions—11 already registered—equivalent to the number of unions formed in all of the first year.

Question. How many factoryowners and managers have been trained on workers' rights through USAID's Global Labor Program in Bangladesh? What is the current assessment of the effectiveness of this program in increasing their understanding of the role of trade unions and their acceptance of and cooperation with union leaders and trade unions in their factories? In terms of numbers trained and achievable outcomes, what is the end-goal of the program?

Answer. As part of our comprehensive effort to support labor reform in Bangladesh, the U.S. Federal Mediation and Conciliation Service (FMCS) is working with the ILO on the critical early stages of developing a functioning industrial relations system in Bangladesh. FMCS has conducted negotiation and interest-based problem solving training to workers and management, including Bangladesh Export Processing Zone and Ministry of Labor officials, with the goal of providing an essential foundation for achieving real workplace rights and safety in Bangladesh. Since late 2012, two FMCS mediators have conducted three sessions of interest-based negotiation training under the ILO's Fundamental Principles and Rights at Work program. The sessions engaged more than 100 tripartite participants from RMG employers, BEPZA, unions, and Bangladesh's Ministry of Labor and Employment.

Question. How many trainers have been trained through the State Department's Strengthening the Capacity of Independent Workers' Organizations in Bangladesh's Readymade Garment Sector and Export Processing Zones program? How many trainers does the program plan to train through the program's expiration in December 2014? What kind of training will the program provide to organizers and activists, especially women, to increase their capacity to recruit and represent Bangladeshi garment workers?

Answer. The Solidarity Center has received \$495,000 through December 31, 2014, to implement the "Strengthening the Capacity of Independent Workers' Organizations in Bangladesh's Readymade Garment Sector and Export Processing Zones" program. The overall goal of the program is to improve the economic well-being and working conditions of Bangladeshi garment workers by strengthening their independent worker organizations. As of September 2013, the program has trained 40 activists and leaders on plant-level organizing, including topics such as developing strategic organizing plans, identifying organizing targets and leaders, building organizing committees, charting the workplace and assessing workers, developing organizing messages, and understanding effective communication with workers. To support the organizers success in implementing their organizing strategies, the Solidarity Center is following up with the organizers on a weekly basis to get progress reports and work through challenges the organizers face in the implementation of the plans.

The Solidarity Center also partnered with the Bangladesh Institute for Labor Studies (BILS) to increase the participation and skills of women to be active organizers and leaders of the workers' organizations. The Solidarity Center and BILS

will soon begin gender equity training for 360 people to garner support from both male and female workers to address some of the challenges preventing women from joining or taking on leadership positions in the garment sector. In addition, the Solidarity Center and BILS will conduct women's leadership trainings for 720 people, focused on women leaders and activists.

Question. How many collective bargaining agreements have been reached in factories outside the EPZs? How can programs sponsored by the United States Government increase the capacity of union leaders to reach collective bargaining agreements outside the EPZs?

Answer. Collective bargaining agreements and union registration have increased substantially in 2013 compared to previous years. Over the last year, the Government of Bangladesh has registered approximately 50 new unions in the RMG sector, although about five are management-affiliated, and several unions have presented their charters of demands to employers and await a response. The Government of Bangladesh in August reregistered the Bangladesh Center for Workers Solidarity (BCWS), a prominent labor rights NGO and local implementing partner of the Solidarity Center.

To increase the capacity of union leaders to reach collective bargaining agreements, the Solidarity Center program also focuses on developing more effective leaders, especially women. The Solidarity Center hosts full-day organizing practitioners' roundtables to allow RMG union organizers to report on their organizing projects and to develop new skills on organizing and bargaining techniques as they operate in an otherwise challenging environment. The Solidarity Center also plans to host seminars that include bargaining skills training to utilize occupational safety and health and fire safety material as the basis of negotiations with employers.

Question. How many collective bargaining agreements have been reached in factories inside the EPZs? How can programs sponsored by the United States Government increase the capacity of Worker Welfare Societies to reach collective bargaining agreements inside the EPZs?

Answer. Bangladesh has publicly committed to bringing the EPZ law into conformity with international standards, so that workers within EPZ factories enjoy the same freedom of association and collective bargaining rights as other workers in the country. The United States has pressed Bangladesh to extend the national labor law, the Bangladesh Labor Act, into EPZs and has warned authorities against union busting.

Just as the Solidarity Center program works with unions outside the EPZs to reach collective bargaining agreements, it also engages in an almost identical way with Workers Welfare Associations (WWAs) inside the EPZs. Activities similarly focus on developing more effective leaders, especially women, by providing capacity-building for union leaders on effective collective bargaining techniques and occupational safety. The Solidarity Center hosts full-day organizing practitioners' roundtables to allow WWA organizers to report on their organizing projects and to develop new skills on organizing and bargaining techniques. The seminars utilizing OSH and fire safety material as the basis of negotiations with employers will include participation from unions and WWAs.

Question. It appears that the Strategic Dialogue meeting in June was quite successful, and I understand that Secretary Kerry agreed with his Indian counterparts that the United States and India would work together in the leadup to Prime Minister Singh's visit to Washington this month to resolve a number of bilateral issues. These include outstanding trade and investment difficulties facing U.S. companies, possible resumption of talks on a Bilateral Investment Treaty, advancing the civil nuclear agreement, resolving defense contract issues, and making progress on a climate change (hydrofluorocarbons) agreement. These are all critical to advancing the bilateral relationship. In particular, however, I remain concerned about the generally deteriorating investment climate in India and the difficulties American companies are facing in doing business there. I made my concerns clear in the letter Senator Portman and I—along with 38 other Senators—sent to Secretary Kerry prior to the Strategic Dialogue meeting, urging him to work with India to improve the business operation environment. There is great potential to expand our bilateral cooperation with India,

- I would appreciate your comments on the state of bilateral discussions to advance our mutual civil nuclear, defense cooperation, and environmental interests, and also request an update on the actions the administration is taking with India to eliminate the challenges facing American companies, such as forced local production, retroactive taxation, and inadequate protection for intel-

lectual property rights. How do you see your role and that of the State Department in furthering these various objectives?

Answer. The U.S.-India Strategic Dialogue, launched in 2010, has significantly broadened and institutionalized engagement and cooperation between our two countries across a wide spectrum of interests and priorities. Challenges and opportunities related to the civilian nuclear and defense sectors, climate change, and India's trade and investment policies remain top priorities for advancing the U.S.-India bilateral relationship. The 123 Agreement was a landmark in the United States-India relationship. While progress remains slow, particularly in the area of addressing concerns over India's domestic liability law, both sides are committed to working through the obstacles together, so that we can meet India's energy needs and help U.S. companies realize the agreement's commercial benefits.

Defense sales to India during this administration have resulted in tens of thousands of jobs created across the country. United States-India defense trade has grown from almost zero a decade ago to a cumulative total of nearly \$9 billion today. If confirmed, I will continue to advocate on behalf of U.S. defense companies who seek to enter into India's defense market, and encourage the further streamlining and integration of our respective procurement procedures, and will support the efforts underway through the Defense Trade Initiative, to encourage greater defense cooperation.

At the 4th U.S.-India Strategic Dialogue, Secretary Kerry and his Indian counterpart, External Affairs Minister Khurshid, announced a new bilateral Climate Working Group to elevate discussions on this administration priority, where Indian leadership is vital to global progress. More recently, G20 Leaders, including India, agreed to work more closely together in addressing dangerous hydrofluorocarbons. We also aim to work with India within the UNFCCC to advance efforts to reach an ambitious and inclusive international climate agreement for 2015. Through the annual Energy Dialogue and its working groups, the U.S. Government and India are also advancing clean, low-carbon energy access and reliability solutions through joint programs such as the Partnership for the Advancement of Clean Energy (PACE).

Advancing U.S. exports and access for U.S. companies abroad is a top priority for the Obama administration, including the Department of State. I understand that the Department of State, the Department of Commerce, USTR and other agencies continue to raise concerns with India, both bilaterally and in multilateral bodies such as the WTO, on a broad range of trade and investment concerns, including localization barriers and intellectual property protection. The State Department also plays an active role in the interagency task force on localization barriers to trade, established by USTR in 2012. We have also consistently raised the importance of a fair and predictable tax environment to U.S. businesses. Alongside the business community, the U.S. Government continues to make the case against policy measures that harm U.S. firms and prevent India from meeting its own growth and innovation goals.

If confirmed, one of my top goals will be to ensure that the Department of State continues to coordinate with agencies across the U.S. Government to encourage Indian policymakers to adopt policies that create a level playing field for U.S. companies. We have many avenues for this engagement, including the U.S.-India CEO Forum, Bilateral Investment Treaty negotiations, the U.S.-India Commercial Dialogue, and the Trade Policy Forum. I will also work closely with our teams at our Embassy and consulates in India, who are actively engaged with Indian policymakers and opinion leaders on a daily basis to advance U.S. interests.

RESPONSES OF NISHA DESAI BISWAL TO QUESTIONS SUBMITTED BY
SENATOR BOB CORKER

Question. For the past decade, the United States has consistently encouraged India to shoulder greater responsibility in international affairs. Yet New Delhi continues to shy away from assuming a more ambitious role on the international stage.

- What accounts for India's reluctance to play a larger role in international affairs? Does New Delhi lack the political will or institutional capacity or are other factors at play?

Answer. While India's economic transformation since 1991 has fundamentally changed the way it engages with the international system, India is sometimes reticent about shouldering greater global responsibilities, particularly given its focus on domestic responsibilities. India's foreign policy and national security architecture is still growing and building capacity will take time—for example, India's foreign service, while growing, is still smaller than Singapore's.

These factors, however, should not overshadow India's important role in the world, which has grown significantly over the last decade. A G20 member, India is playing a greater role in shaping regional architecture in Asia Pacific, has contributed \$2 billion in assistance to Afghanistan, is the third-largest troop contributor to U.N. peacekeeping operations, and is an active development partner in Africa through the India-Africa Forum. The United States and India hold regular consultations on a wide range of issues, from global energy flows to the Indian Ocean Region.

Like the United States at the turn of the 20th century, India's global emergence will not happen overnight, but because of our shared democratic values and convergence of interests, it remains in the U.S. interest to continue building a broad and vital partnership with India.

Question. Does the United States overstate India's strategic importance? Why or why not?

Answer. The priority we place on India reflects its growing global role and the potential of our partnership. Our European partners, Japan, Australia, Russia, and China are all eager to expand ties and enhance trade and investment with the Indian market. In the next two decades, India will become the world's most populous nation. Despite the recent slowdown, India remains one of the largest economies in Asia, and our bilateral trade in goods and services reached nearly \$100 billion in 2012. The world's largest democracy, India shares our commitments to pluralism and the rule of law. The 3-million strong Indian Diaspora underpins our strong people-to-people ties. With the world's third-largest army and a navy with growing blue water capabilities, India is an increasingly important security partner in Asia Pacific and beyond. Our strategic partnership will continue to grow given our democratic values, economic ties, and common interest in maintaining international norms.

Question. What areas for cooperation exist for the United States and India to partner with others in the Indo-Pacific, including Australia and Japan?

Answer. As part of its Look East policy, India has made expanding strategic and economic linkages in the Asia-Pacific a top priority and supports a strong U.S. presence in the region. This makes the Asia-Pacific a natural area for cooperation, and over the last 4 years our collaboration has grown significantly. The United States and India hold a substantive, twice-yearly regional dialogue on East Asia. Together with Japan, we have also held four trilateral dialogues and a fifth round is expected to take place this fall in Tokyo. The trilateral discussions have focused on humanitarian assistance and disaster relief; space cooperation; and regional connectivity. India has also been invited to participate in the 22-country Rim of the Pacific (RIMPAC) naval exercise hosted next year by PACOM.

The United States encourages India to take a greater leadership role in multilateral fora, including the East Asia Summit and ASEAN Regional Forum, due to our shared interests in maritime security, counterterrorism, nonproliferation, disaster relief, and other key issues. India signed an ASEAN Free Trade Services Agreement in December 2012. Taking advantage of the opening in Burma, India, is a strong support of greater connectivity and economic integration in South East Asia, including an Indo-Pacific economic corridor. Both our countries also recognize the strategic importance of the Indian Ocean and have expanded our engagement in this vital region. India served as chair of the Indian Ocean Rim Association for Regional Cooperation in 2012, and was instrumental in helping secure Dialogue Partner status for the United States.

India-Australia ties have been greatly bolstered by the Australian Labor Party's 2011 decision to overturn its prohibition of uranium sales to India, and through the commencement of civil-nuclear cooperation agreement negotiations in March 2013. Then-Prime Minister Gillard traveled to India in October 2012, and during a visit to Australia by Indian Defense Minister Antony in June 2013, the two countries agreed on enhanced security cooperation, including maritime exercises.

Question. What role does South Asia play in the Obama administration's "rebalance" to Asia?

Answer. Given the strategic and economic linkages between the Indian Ocean and the Western Pacific, South Asia, particularly India, is vitally important to advancing American interests in the Asia Pacific. In a February 2013 address, Indian Ambassador to the U.S. Nirupama Rao stated "We welcome U.S. engagement in Asia and the Indo-Pacific. The continuance of economic growth and prosperity in both our countries is in many ways linked to the opportunities for growth and prosperity in this region. It is a space that impacts our destinies, whose security and prosperity is vital to both of us." Like the United States, India views this region as vital to

its interests; India's own rebalance, the Look East Policy, is over two decades old. As we continue our rebalance to Asia, our growing cooperation in Asia Pacific is a testament to our shared interests.

Question. The Bangladeshi High Court on August 1 declared illegal the registration of the political party Jamaat-i-Islami with the Election Commission. The order came following a petition filed in 2009 challenging the legality of Jamaat's charter under the country's constitution. If the verdict stands, Jamaat would be unable to compete in upcoming national elections scheduled to be held in January 2014.

- What is your view of the Sheikh Hasina Government's efforts to ban the Jamaat from the political process?

Answer. We support the democratic process and respect for the rule of law. One of Bangladesh's great strengths is its commitment to pluralism. The Bangladesh High Court cancelled the registration of Jamaat-e-Islami as a political party after hearings on a petition filed by private citizens. This is a matter to be decided by Bangladeshi authorities, in accordance with Bangladeshi law and the Bangladeshi Constitution.

Question. There is concern that if the ruling Awami League Party and the opposition Bangladesh National Party (BNP) fail to agree on the mechanisms for conducting impartial elections, the BNP may refuse to participate in the electoral process.

- What impact would a BNP poll boycott have on political stability in Bangladesh?

Answer. A BNP boycott of the elections may lead to increased political protests and street violence. Such protests and violence could undermine Bangladesh's political stability and economic development. We have repeatedly urged the leaders of the major parties in Bangladesh to come together and agree on a way forward that will ensure free, fair, and credible elections in the coming months. What the way forward looks like is for the parties of Bangladesh to decide, but we firmly believe violence is never an acceptable solution and call upon all parties to refrain from the use of violence. Secretary Kerry wrote to Prime Minister Hasina and BNP leader Begum Zia on September 8, encouraging them to engage in constructive dialogue.

RESPONSES OF NISHA DESAI BISWAL TO QUESTIONS SUBMITTED BY
SENATOR JAMES RISCH

Question. Administrations for decades have sought to build deeper economic integration throughout Central Asia, but these efforts have met, at best, with modest success.

- What do you see as the obstacles to success and what changes would you prioritize to improve the chances of success for the region?

Answer. U.S. engagement and assistance have fostered economic development among the five Central Asian states. Initiatives such as the New Silk Road seek to link the economies and infrastructure of central Asia, Afghanistan, and south Asia. The United States has worked closely with multilateral and bilateral partners to support regional efforts to strengthen business and infrastructure links between the central Asian countries and Afghanistan, links that would aid their economic development and strengthen regional stability as well as Afghanistan's fiscal sustainability. The United States has also leveraged the Asian Development Bank's Central Asia Regional Economic Cooperation framework, which provides billions to advance regional development programs.

Regional consensus around the importance of economic integration is growing. Kazakhstan has recognized the value of, and become a strong advocate for, greater regional economic integration. Turkmenistan is working with Afghanistan, Pakistan, and India on a natural gas pipeline that will connect gas reserves in central Asia with growing demand for energy in south Asia. With support from our multilateral development bank partners, rail and electricity projects are under construction and helping build a stronger foundation for regional economic integration. Efforts to build people-to-people links, through regional projects such as two U.S.-supported symposia on women's economic empowerment, also advance our goals for regional economic integration.

The United States strongly believes that everyone's interests are served by inclusive and transparent trade regimes such as the WTO. To this end, we have encouraged and supported the central Asian states and Afghanistan in their WTO aspirations. Kyrgyzstan and Tajikistan are already members; Afghanistan and Kazakhstan are making good progress toward achieving membership; and other states have also expressed renewed interest.

While historically limited regional cooperation and securing international financing for large infrastructure have been challenges, these recent developments all show that central Asian states recognize the importance of regional integration. Continued strong U.S. support for these regional initiatives not only helps overcome past challenges these countries faced in working with each other, but also supports our interest in a secure, stable, and prosperous region.

Question. Please explain U.S. policy toward the Eurasian Union.

Answer. The United States does not oppose formation of the Eurasian Economic Union (EEU), to the extent that it is consistent with the prospective members' WTO and other international trade commitments. The United States believes strongly in the importance of inclusive and transparent trade regimes such as the WTO. We have an interest in continued engagement with the future members of the EEU to promote U.S. trade and investment interests. There are 170 million consumers living in Russia and other countries that form the current Customs Union, which will become the EEU in 2015.

However, the EEU can only promote the stability and prosperity it aims to achieve if it is truly voluntary and presents benefits to all member states. We have an interest in the EEU's development as a responsible member of the global economic system, rather than serving as a mechanism to protect internal industries and domestic constituents. The extreme inequality in size between the EEU's members means that it will be both important and challenging for negotiators to ensure that all EEU provisions and regulations are genuinely equal for all parties and will not constrain the ability of member states to liberalize trade and adopt the global framework of the WTO and other international arrangements.

Question. What are the major obstacles in India to completing a Bilateral Investment Treaty with India?

Answer. The United States Government remains committed to concluding a Bilateral Investment Treaty (BIT) with India that will help support our common goal of expanding foreign investment in each others' economies. A BIT would provide greater protections and opportunities for U.S. firms seeking to invest in India for the first time or expand existing investments.

In the past 10 years, the U.S. model text for our Bilateral Investment Treaties (BITs) has evolved to meet the needs of a variety of stakeholders. India is currently in the process of updating its model BIT agreement. Our current model BIT texts differ in several areas, including the treatment of investors prior to the time the investment is made, the coverage of local content requirements, and the approach to international arbitration. The U.S. model BIT also includes important labor and environment provisions that are not included in the model texts of many countries.

A BIT with India could stimulate Indian investment into the United States. India is one of the fastest growing sources of investment into the United States. Indian foreign direct investment in the United States increased from \$227 million in 2002 to almost \$5.2 billion in 2012, supporting tens of thousands of U.S. jobs.

The United States and India have engaged in BIT negotiations since 2008, with the last round held in June 2012. Both countries agree that concluding a BIT is a top economic priority, and we are pursuing further negotiations toward a comprehensive treaty, which has high standards, meets the needs of businesses, and more clearly defines investment rules and practices.

Question. While India has focused heavily on its border with Pakistan, India is growing more concerned about its border with China. Please explain these concerns and what assistance the United States can provide.

Answer. India has expressed a desire to build a positive relationship with China, but issues relating to a longstanding disputed border have led to friction in the relationship. The boundary begins north of Kashmir, in the Aksai Chin region, which is administered by China but claimed by India. From there the line runs southeast in three segments to the northeastern Indian state of Arunachal Pradesh. Most of Arunachal Pradesh is claimed by China as part of Tibet, and this area saw fierce fighting during the 1962 Sino-Indian war. The eastern part of the boundary, between Bhutan and Burma, is also referred to as the McMahon Line, a 1914 colonial boundary agreed to by British India and Tibet, but never recognized by China. The United States officially recognizes the McMahon Line as India's northeastern border with China.

Most recently, in April a People's Liberation Army incursion across the Line of Actual Control occurred in the Ladakh region. The Chinese State Councilor responsible for foreign affairs and the Indian National Security Advisor have held multiple rounds of border talks.

The United States continues to encourage greater dialogue between India and China, including dialogue for a peaceful settlement of their boundary disputes.