

NOMINATIONS

WEDNESDAY, AUGUST 5, 2020 (am)

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

The committee met, pursuant to notice, at 9:00 a.m., via video conference, Hon. James E. Risch, chairman of the committee, presiding.

Present: Senators Risch, Johnson, Gardner, Romney, Portman, Young, Perdue, Menendez, Cardin, Shaheen, Murphy, Kaine, and Booker.

The CHAIRMAN. Good morning, everyone. The hour of 9:00 a.m. having arrived, the unique meeting at the Senate Foreign Relations Committee will come to order.

Today the committee will hold a nomination hearing for five very important positions. Our nominees today are: Mrs. Jennifer Barber, to be the Representative on the Economic and Social Council of the U.N. and Alternate Representative to the General Assembly; secondly, Mr. Edward Burrier, to be Deputy Chief Executive Officer of the International Development Finance Corporation; Lieutenant General Keith Dayton, to be Ambassador to Ukraine; Ms. Julie Fisher, to be Ambassador to Belarus; and Mr. Alex Wong, to be Alternate Representative for Special Political Affairs at the U.N. and Alternate Representative to the General Assembly.

Two of our nominees today have distinguished individuals here to introduce them. Senator Cotton and Senator Romney will be introducing Mr. Wong, and we are glad to welcome former Congressman Ed Royce and he will be introducing Mr. Burrier.

I also have a statement I will be entering into the record submitted by Leader McConnell in support of the Barber nomination. [Senator McConnell's statement follows:]

STATEMENT SUBMITTED BY SENATOR MITCH MCCONNELL

Mr. Chairman, Ranking Member Menendez, colleagues: Thank you for this opportunity to offer my support for Jennifer Yue Barber, of Kentucky, to represent our country at the United Nations Economic and Social Council.

As nations around the globe prepare to celebrate the U.N.'s 75th anniversary, American leadership is as important as ever. Alongside our fellow Kentuckian, Ambassador Kelly Craft, Jennifer has the experiences and talents to advance our national values on the world stage.

Jennifer and her family are a wonderful example of the promise of American opportunity. Her parents, Kenneth and Laura, left China as teenagers seeking a better, freer life in America. They found that opportunity in Frankfort, Kentucky.

Kenneth and Laura poured themselves into a small business. Through long hours and hard days, the Yue family built a new future. At age seven, Jennifer began pitching in and learning the rewards of hard work and never giving up.

She carried those virtues into every aspect of her life.

Jennifer went on to earn undergraduate and law degrees from the University of Kentucky. Then, she started making a name for herself in the Bluegrass State's legal community. She's won accolades as a "Rising Star," a member of a local publication's "Forty Under 40" list, and an "Enterprising Woman to Watch."

From constitutional tax issues to economic development, Jennifer is regularly called upon for her counsel and expertise. Her extensive writings have helped shape dialogues and build consensus. She's ably served on the boards of a bank, the Kentucky State Fair, and her alma mater.

While each of those organizations will surely miss her guiding contributions, I commend Jennifer for choosing a new path in public service.

On the Economic and Social Council and in the General Assembly, Jennifer will help promote opportunity, cooperation, and prosperity throughout the international community.

She'll work to empower women and girls and other previously underrepresented groups in an effort to advance global stability and peace.

This Council is also one of the principal U.N. bodies overseeing the global humanitarian response to the COVID-19 pandemic. Through the historic CARES Act, we provided support for vital international relief. Jennifer can be a strong voice for American leadership in these urgent efforts.

I'm grateful President Trump selected Jennifer Yue Barber to help tackle these issues and more on behalf of the United States. Through the course of this hearing, I expect you will find a serious and diplomatic nominee who is ready to step into this critical role.

So thank you again, Chairman Risch and Ranking Member Menendez, for the chance to introduce Jennifer to this committee. I look forward to confirming another outstanding Kentuckian to serve our country.

The CHAIRMAN. I am going to postpone my opening statement and ask the ranking member to do the same until after the introductions are made by our distinguished guests.

So with that, Senator Romney, you are a member of this committee, and we will start with your introduction of Mr. Alex Wong. So, Senator Romney, the floor is yours.

**STATEMENT OF HON. MITT ROMNEY,
U.S. SENATOR FROM UTAH**

Senator ROMNEY. Thank you, Mr. Chairman.

Today I would like to introduce Alex Wong to the committee. Alex is nominated to be the Alternate Representative of the United States to the sessions of the General Assembly of the United Nations and to serve as the Alternate Representative of the United States for Special Political Affairs in the United Nations.

I have been fortunate enough to know Alex for many years since he served as the foreign and legal policy director on my 2012 campaign. My extensive firsthand interactions with Alex have led me to the following observations.

First, he is brilliant. His ability to focus, concentrate thinking, analyze complexities, organize disorder, and identify opportunities is of the highest order. It is no surprise that he graduated summa cum laude from the University of Pennsylvania and was an editor of the Law Review at Harvard.

He is loyal and dedicated to America. Alex's driving purpose is to see America strengthened, to see our values promulgated, and to see the enemies of freedom defeated.

He approaches tasks without preconception or bias. Instead, he preserves an open mind and considers the data as it is, not as he might like it to be.

Alex has the kind of confidence that requires no boasting, that fears no slights, and that compels straightforward expression. He

communicates succinctly and plainly without embellishment or self-aggrandizement, nor is he hesitant to express disagreement when he believes he is in the right.

I greatly value these things. It made me a better candidate, but as much or more, I valued Alex's character. He is honest, devoted to principle, kind to others, firm in resolve, and a true friend.

Now, since he left my campaign or rather since my campaign disappeared, Alex has gone on to distinguish himself as a diplomat, a public servant, and an expert in national security affairs particularly with respect to our relationships in the Indo-Pacific.

He has been at the State Department since 2017. He currently serves as both the Deputy Special Representative for North Korea and as the Deputy Assistant Secretary for North Korea. Accordingly, he is second in command to Deputy Secretary Biegun to negotiate for complete North Korean denuclearization. He has made multiple trips to Pyongyang in support of our summits.

Before assuming these responsibilities, he led the State Department's conceptualization of the free and open Indo-Pacific strategy, which was significant in shifting U.S. focus towards the Indo-Pacific, of course, to address growing challenges presented by China.

He was the first U.S. official to visit Taiwan after implementation of the Taiwan Travel Act, and he praised the strength of the U.S.-Taiwan relationship and the democratic path Taiwan has chosen.

He speaks with knowledge and proficiency about the challenges posed by an ascendant China, the significance of working together with our allies to achieve common goals, and about policies that support Iraq to ensure it has a more prosperous future.

He is one of the most talented foreign policy minds of his generation, and I have been fortunate over the years to be the beneficiary of his intellect and insights and judgment.

I ask my colleagues on the committee to report Alex's nomination favorably and hope that the Senate will confirm his nomination without delay so he can get on with the important business of representing our country at the U.N.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Romney.
Senator Cotton?

**STATEMENT OF HON. TOM COTTON,
U.S. SENATOR FROM ARKANSAS**

Senator COTTON. Chairman Risch, Senator Menendez, members of the committee, I am honored to introduce a friend, a trusted former aide, and a distinguished public servant, Alex Wong, who is the President's nominee to serve as the Alternate Representative for Special Political Affairs at the United Nations.

Alex is one of the most capable people with whom I have ever worked in the Senate and his resume reflects that fact. He was educated at the University of Pennsylvania and Harvard Law School where he was the managing editor of the Harvard Law Review. He clerked for Judge Janice Rogers Brown on the D.C. Circuit, and he was an attorney at Covington and Burling.

In the Senate, Alex served as my foreign policy advisor and general counsel. He helped to draft the original Hong Kong Human

Rights and Democracy Act, a bill that can now only be described as prescient since the Chinese Communist Party has cracked down in Hong Kong. That bill passed by unanimous consent last year and was signed into law by the President.

Alex then moved on to the State Department where he has contributed to our strategy for East and South Asia. He has strengthened relationships between the United States and Taiwan, and he has played a key role in our negotiations with North Korea.

That is Alex's resume, but it is only one part of why I think he is the right person to represent our country at the United Nations. Alex is also one of the most cheerful and helpful people I have ever met. He always has a lot on his plate, whether here or at the State Department, but he is never too busy to help a colleague in need.

Alex is also a family man. He and his wife Candice have two beautiful children, Chase and Avery. They obviously cannot join us today for obvious reasons, but I know they are very proud of him for good reason as he is of them.

Alex is a patriot who cares deeply for our country and its principles because he and his family are living embodiments of the American dream. His parents, Robert and Grace Wong, came to America more than 4 decades ago from Hong Kong. They rented a one-bedroom apartment in Queens and worked to make a better life for their family, and their American dream came true. Their son is sitting before you today ready to represent our country to the world at the United Nations.

I know Alex is a man of character and a dedicated public servant because he has proven it to me through his actions, and I know he will fight for America's interests at the United Nations because only in America would his story be possible.

I urge all of you to support his nomination, and I urge the Senate to move promptly on his confirmation so he can do the important work at the United Nations.

Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Cotton.

We are now going to turn to former Congressman Royce. Congressman, we are glad to have you back with us today. It is good to see you, and the floor is yours.

**STATEMENT OF HON. ED ROYCE,
FORMER U.S. REPRESENTATIVE FROM CALIFORNIA**

Mr. ROYCE. Well, Mr. Chairman, thank you. It is good to see you and the members of the committee, and it is good to be able to speak up here and a great honor to be able to introduce to you my former deputy staff director on the House Foreign Affairs Committee, Edward Burrier.

Edward worked for me for 18 years, so he is not only someone I worked with, but someone that I am fortunate to call a friend. Edward first started in my office interning in the Africa Subcommittee, which I then chaired, and at the time, he was still in college at the University of Mary Washington in Fredericksburg, and every day he would make the long commute from Fredericksburg just to volunteer.

He then took a job in my personal office where he met his future wife, a fellow junior staffer, Gretchen. They now have a young son

William, and it has been a pleasure watching them grow personally and professionally.

Edward eventually rose to deputy staff director of the House Foreign Affairs Committee, and over the years, Edward was essential in achieving so much, including efforts to prevent the proliferation of shoulder-fired surface-to-air missiles to terrorists and major legislation sanctioning the regime of North Korea and Iran, which are dangerously pursuing nuclear weapons programs.

He found a niche in tracking international rogues, some of who are now behind bars for gun running and creating mayhem in part because of Edward's efforts.

He also produced important reports, including the path-breaking "Gangster Regime, How North Korea Counterfeits United States' Currency," and that is still relevant today.

And he wrote for me hundreds of foreign-intrigue blog entries, some of the most captivating foreign policy writing in Washington.

In short, Edward was involved in all the major foreign policy issues of the day, helping to make our country safer and more prosperous. He has continued these efforts first at the Overseas Private Investment Corporation and now at the newly created Development Finance Corporation where he works to advance America's interests around the world and to lift the globe out of poverty. He understands the importance of U.S. engagement in the developing world, which is more critical now than ever as COVID-19 threatens a humanitarian crisis of enormous and tragic human consequence.

Edward Burrier not only has the experience required to be the Deputy Chief Executive Officer at the DFC, he also has the intellect. He has the knowledge. Most importantly, he has the heart. And I could not think of someone more qualified to help lead this organization at this critical time in history, and I am thankful that he is willing to serve.

And I thank you again, Mr. Chairman.

The CHAIRMAN. Ed, thank you so much. We appreciate you coming to the committee, and we certainly appreciate your remarks and that information.

We will now proceed. I am going to make a few remarks and then turn it over to the ranking member.

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

Let me say, first of all, welcome everyone. These are unique circumstances and in response to the unique times that we are living in, unique in many, many ways, not just one, but we adapt and we move along.

So we have got these five nominees. I am going to talk about each of them briefly here.

First is Ms. Jennifer Barber, who is nominated to be the U.S. Representative on the Economic and Social Council of the United Nations. This position is tasked with advancing and protecting American interests related to the economic and social programs at the United Nations.

Ms. Barber currently serves as a member of the law firm Frost, Brown, Todd LLC.

Next we have Mr. Edward Burrier nominated to be Deputy CEO of the International Development Finance Corporation. This role assists the CEO in accomplishing DFC's objective of partnering with the private sector to finance solutions for some of the most critical challenges facing the developing world today. One recent development I support and would like to highlight is the DFC's decision to include nuclear projects in its portfolio.

Mr. Burrier has worked at the DFC since its creation and before that. He was a longtime staffer for the House Foreign Affairs Committee.

We turn now to our nominee to be Ambassador to Ukraine, retired Lieutenant General Keith Dayton. General Dayton served in the United States Army from 1970 to 2010, 4 decades of distinguished service. Retiring from the military, General Dayton has been the Director of the Marshall Center in Germany and most recently has served as the senior U.S. defense advisor to Ukraine.

Over the past year, the U.S.-Ukraine relationship was thrust into the national spotlight. This was unfortunate but it is time to move forward and make clear that Ukraine enjoys bipartisan support in implementing reforms countering Russian malign influence.

That is why I was glad last week to introduce the Ukraine Security Partnership Act, alongside Ranking Member Menendez and four other members of this committee. This bill will further assist the Ukrainian military in its battle against Russian-backed separatists and incentivize military reforms in line with NATO standards.

Our next nominee is Ms. Julie Fisher to be Ambassador to the Republic of Belarus. Ms. Fisher is a career Foreign Service officer. Most recently, she served as Deputy Assistant Secretary for Western Europe and the European Union. She has also served as the Deputy Chief of Mission at the U.S. mission to NATO. Ms. Fisher, your nomination marks an important step in our relationship with Belarus. If confirmed, you will be the first U.S. Ambassador to Minsk since 2008. I welcome your thoughts on the challenges that lie ahead in rebuilding the U.S.-Belarus relationship, encouraging reforms, and countering Russian and Chinese influence.

Finally, we have Mr. Alex Wong, nominated to be Alternate Representative for Special Political Affairs at the United Nations. This role is involved in overseeing U.N. peacekeeping operations, disarmament, and international security policies and programs. Mr. Wong currently serves as Deputy Special Representative for North Korea and Deputy Assistant Secretary of State in the Bureau of East Asian and Pacific Affairs.

With that, Senator Menendez, I am going to turn the floor over to you.

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

Senator MENENDEZ. Well, thank you, Mr. Chairman. Welcome to all of the nominees.

Before I address the nominees before us, I am just compelled to note that this is unfortunately another in a series of nominations hearings that have been noticed unilaterally over the objections of the minority and to a large extent without our input.

Additionally, two of the three hearings this week were noticed without securing a Democratic ranking member for the hearing, and one of them was noticed in violation of the committee practice under the 7-day rule, which is unfortunate.

I think clearly the chairman has the authority to run the committee in this manner, but it is a drastic departure from committee practice. It sets the precedent for how the committee will run under any future majority, Democratic or Republican.

And it is also disappointing the committee is holding five nominations hearings and a nominations-only business meeting this work period, but we have not marked up a bill since May. Nominations are an important committee function, but to be relevant, we need to be engaged and legislating on the issues that matter to Americans. I know many members of the committee, both Democrat and Republican, want this to happen, and I hope it can happen in the days ahead.

And finally, given the intense interest and sensitivity of the issues surrounding Ukraine, I had suggested that General Dayton should be on a panel by himself or at least at minimum with just one other nominee. Squeezing him in on a panel of five does not do justice on this set of issues. So, Mr. Chairman, I hope you will be generous in time, especially as we have to deal with all of these nominees in one panel.

Now, the committee has long been a stalwart champion for the relationship with Ukraine. As chairman, I led efforts on two laws that were passed in the wake of Russia's invasion of the country in 2014. And as the chairman mentioned, just last week, we joined together, Chairman Risch and I, to introduce legislation that will substantially increase FMF and IMET for the country.

The fact remains that Ukraine is under daily assault on the ground, on the seas, and in cyberspace from an aggressive Kremlin. Ukrainian service members that have selflessly and courageously fought Russian forces that seek to violate its sovereignty and disrupt the international order are constantly challenged.

President Trump significantly damaged our standing with Ukraine and undermines our own national security by holding security assistance hostage to his political agenda. That was a challenge to our relationship which led to impeachment proceedings. It is now more important than ever for the Senate to speak with one voice in support of Ukraine, especially in the provision of security assistance. And I am glad that we were able to send that clear message with our legislation.

General Dayton, if you are confirmed, you will have very big shoes to fill in Kyiv, those of Masha Yovanovitch and Bill Taylor. Both were not only exemplary diplomats and representatives of the United States but had the courage to speak truth to power. I hope that you will also be up to that task.

Rudy Giuliani and a cast of unsavory Ukrainian characters have not let up their efforts to use Ukraine to interfere in U.S. politics. Others in the Senate seem intent on amplifying their efforts. And I expect that, if confirmed, you would not engage in these games, and I would want your commitment towards that end.

Ms. Fisher, I am glad to have you with us today. You are the first nominee to be U.S. Ambassador to Belarus in over a decade.

Your nomination comes at a critical time as Belarus' people are rising to demand democracy and respect for human rights in unprecedented numbers. The Belarusian Government's move away from Russia is important, but we cannot ignore the voices of the Belarusian people. The centerpiece of our policy on Belarus must be a commitment to democracy and human rights, and I look forward to hearing from you on what steps you would take, if confirmed, to support the aspirations of the Belarusian people.

Ms. Barber and Mr. Wong, welcome. At every turn, the Trump administration has unfortunately sought to undermine multilateral institutions. The administration's actions in my view do not make America great. They leave America alone. President Trump's announced intent to withdraw from the World Health Organization exemplifies a culture of blame-shifting and isolationism that is self-defeating for the United States. It is astonishing that during the height of a pandemic, the principal institution charged with leading and coordinating a global response will no longer receive U.S. support.

I am likewise deeply troubled by the attempts of the administration to limit gender equality and restrict the rights of women and girls. It is unacceptable that the U.S. Government representatives at the United Nations have sought to remove references to longstanding and agreed-upon language on gender-based violence and sexual and reproductive health. We must lead the collective commitment to advance fundamental rights and freedoms for all rather than undermine the rights of some, and I look forward to hearing from the nominees on these issues.

Mr. Burrier, welcome. You seem well-suited for the job and rounding out the leadership circle at the DFC is incredibly important. However, I have some serious concerns with some of the DFC's actions that I need nominee's commitment to address. And that includes the authorities that were granted to the DFC under the Defense Production Act executive order signed by the President, as well as concerns with how the DRC is pursuing environmental and social policy. I know you were not there to make those decisions, but I want to hear how you would deal with it, if confirmed.

With that, Mr. Chairman, thank you.

The CHAIRMAN. Thank you, Senator Menendez.

First of all, I do want the record to be clear that the 7-day rule simply requires that I consult with the ranking member if I am going to hold the hearing in less than 7 days. As you know, as always, we consulted and we consulted to our staffs, but as frequently happens, we were unable to reach an agreement. So I noticed the hearing.

I share your concerns as far as marking up a bill. I love nothing better than to spend our time doing that with less time on the noms. Time is at a premium around here, and as you know, we consult on noms [inaudible]. The process is very slow, and after all, we have to stand up the Government before we can do anything else.

This week, we had four meetings, last week two meetings, the week before that, three meetings. We are not dragging our feet. Time is at a premium. But we will keep moving forward.

So with that, thank you, Senator Menendez.

And we will move to our first nominee, Ms. Barber. Your full statement will be included in the record, and without objection, we would ask you to keep your remarks to about 5 minutes and we will put your full statement in the record.

Senator Menendez referred to a request for the chairman's generosity in time. All of you who are on this committee know that the chairman is very generous notwithstanding the occasional abuse by members. But we will be generous with them. And I think Senator Menendez is right. We do have a number of people here, and it is [inaudible] to have the ability to ask questions.

So with that, thank you, and Ms. Barber you are up.

STATEMENT OF JENNIFER YUE BARBER, OF KENTUCKY, TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR, AND TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HER TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE ECONOMIC AND SOCIAL COUNCIL OF THE UNITED NATIONS

Ms. BARBER. Thank you. Chairman Risch, Ranking Member Menendez, and distinguished members of this committee, thank you for the opportunity to appear before you today. I am humbled to be considered for the role of U.S. Ambassador to the Economic and Social Council of the United Nations and, if confirmed, would be honored to have the opportunity to serve our country in this capacity.

A special thanks to Leader McConnell for his written statement that is submitted to the record and for his support.

I would also like to express my gratitude to President Donald Trump and Secretary Mike Pompeo for nominating me and to Ambassador Kelly Craft for the confidence and trust that she has placed in me.

In particular, I want to thank God for preparing this path. My husband Andy, thank you for your constant love and support. And our daughters, Molly and Lucy, the next generation for whom I am determined to make this world a better place. And the many members of my family and friends who are watching this right now. Thank you for the many meaningful ways that you have impacted my life.

I would also like to recognize my parents, Kenneth and Laura Yue, who emigrated here from China 50 years ago. My mother is one of seven children and one of four that my grandparents brought to the United States, making the difficult decision to leave three behind, to pursue freedom, opportunity, and the promise of America. She was reunited with her remaining siblings 19 years later when they emigrated to our country.

I grew up working alongside my parents and late grandfather, Sik Chee Yue, in our family's restaurant. Their daily example of sacrifice and hard work and their determination to provide greater opportunity is why it is possible for me to appear before you today.

And it inspires me to shine America's light brightly on the U.N. stage.

I would also like to express my appreciation to my colleagues at Frost, Brown, Todd for their support throughout my legal practice and now as I pursue public service.

And finally, I would like to thank the team at the State Department who helped guide me through this process.

It has been 75 years since that day in San Francisco when representatives of 50 nations, weary of the human toll of World War II, signed the U.N. Charter to create a new organization designed in part to solve problems of an economic, social, cultural, or humanitarian character and to encourage respect for human rights and fundamental freedoms.

The United States remains central to those ideals, and if confirmed, I will proudly carry to the United Nations the unyielding American commitment to human rights, humanitarian response, and economic development.

As you know well, that commitment is tested frequently. Many U.N. member states work to undermine the values that shape the U.N. in order to advance their narrow agendas and elevate authoritarian ideals.

We see instances of this in some of our most pressing challenges today from the Chinese Communist Party's mismanagement of the COVID-19 crisis and its suppression of democracy in Hong Kong to the Russian and Chinese opposition to providing necessary humanitarian relief to besieged communities in northeast Syria.

If confirmed, I will use my voice and energy to advance the American vision for human rights and fundamental freedoms.

I will also carry with me the determination to empower women and girls. It is vital that girls have access to education and that women have equal opportunity in the workplace. We must fuel entrepreneurship and diminish sexual violence and exploitation.

The United States must also continue to play a central role in sustaining the UN's humanitarian response system. That system, built around organizations such as UNICEF and the World Food Program, is extensive and, where permitted to operate, is effective, feeding millions daily and providing assistance to displaced populations.

The demands on that system are quickly growing, as the world tackles a record number of humanitarian crises and swelling populations of displaced people. I know the deep commitment of Congress in providing for those in dire need. There is no country more generous than ours. Yet, as those needs grow, so does the need for more nations to share in that responsibility.

Finally, I will note that American objectives at the United Nations will only be realized if the U.N. is efficient, effective, and transparent. Reform of U.N. agencies has been an American priority spanning decades, and I believe that considerable progress has been made. If confirmed, strengthening that progress will be among my priorities, as will advocating for robust civil society participation and private sector engagement.

Mr. Chairman, members of this committee, for the United Nations to be relevant for the next 75 years, it must remain true to the values that shaped its original purpose and also rise to meet

the needs of today. If confirmed, I will work tirelessly toward that goal and partner with you in Congress to further American values and interests.

Thank you and I look forward to your questions.
[The prepared statement of Ms. Barber follows:]

PREPARED STATEMENT OF JENNIFER YUE BARBER

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deep commitment of Congress in providing for those in dire need. There is no country more generous than ours. Yet, as those needs grow, so does the need for more nations to share that responsibility.

Finally, I will note that American objectives at the United Nations will only be realized if the U.N. is efficient, effective, and transparent. Reform of U.N. agencies has been an American priority spanning decades, and considerable progress has been made. If confirmed, strengthening that progress will be among my priorities, as will advocating for robust civil society participation and private sector engagement.

Mr. Chairman, members of the committee, for the United Nations to be relevant for the next 75 years, it must remain true to the values that shaped its original purpose, and also rise to meet the needs of today. If confirmed, I will work tirelessly toward that goal and partner with you in Congress to further American values and interests.

Thank you, and I look forward to your questions.

The CHAIRMAN. Thank you, Ms. Barber.

And we will now turn to Mr. Burrier. Edward, you are up.

STATEMENT OF EDWARD A. BURRIER, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY CHIEF EXECUTIVE OFFICER OF THE UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION

Mr. BURRIER. Mr. Chairman, Ranking Member Menendez, and members of the committee, I am honored to appear before you today as the President's nominee to serve as the first Deputy Chief Executive Officer of the United States International Development Finance Corporation.

I greatly appreciate Chairman Royce's kind introduction. I owe more than just my career to the chairman. As a young staffer on Capitol Hill, I met my incredible wife of 14 years, Gretchen. She and our son William are watching today, and I am grateful for their support. Like me, Gretchen has spent her career in government and knows the demands, responsibilities, and honor that come with being a public servant.

I grew up in Fairfax, Virginia, the youngest son of two talented musicians. My father served in the United States Army Band for over 30 years. Integrity, respect for others and—most of all—hard work were instilled in me by my parents. As a senior in high school, I volunteered for a local congressional candidate who went on to win a historic election. I was enthralled that I played a small part in that democratic process, even if it was just stuffing envelopes.

While at Mary Washington College, I did several internships on Capitol Hill and spent one summer interning for a member of Parliament in London. In my last semester, I took a commuter train from Fredericksburg, Virginia to intern at the House Foreign Affairs Subcommittee on Africa, then chaired by Congressman Royce.

After graduation, the Congressman offered me a job in his personal office, opening mail, answering phones, and giving Capitol tours to constituents from Orange County, California. Little did I know I would spend the next 18 years working for the Congressman. I worked my way up from the personal office to the committee and earned a master's degree in national security from the U.S. Naval War college along the way.

I became Deputy Staff Director of the House Foreign Affairs Committee in 2013, a position I held for the next 4 and a half years. During that time, the committee worked—alongside this

committee—to advance U.S. interests abroad, bolster those yearning for freedom, solidify alliances, and even helped put a warlord or two behind bars. Those results were achieved by being consultative, solution-oriented, and working across the aisle.

I brought these qualities with me when I transitioned to the executive branch 3 years ago. As Vice President for External Affairs at the Overseas Private Investment Corporation, I led OPIC's efforts both in the interagency and with this committee on the BUILD Act, the landmark legislation that created DFC.

I believe strongly in DFC's mission. Simply put, there are not enough government resources to tackle the challenges of the developing world. Through DFC, we can leverage the power of private capital to help meet demands, improve lives, and advance American interests.

I have seen firsthand the impact that U.S. development finance can have. I have met with Shrouq, an energetic woman in Amman, Jordan, who took a small loan to start a driving school to empower women. I have met with homeowners in Ghana, who achieved that dream thanks in part to DFC financing. And I have visited a DFC-financed power plant in Togo that is giving the country a chance to power its economy forward.

From microfinance to secure telecommunications to infrastructure, DFC support is critical in helping create opportunity and growth. The role of DFC is only expanding as the developing world grapples with the sobering economic outlook in the wake of the COVID-19 pandemic. Times like these are precisely when institutions like DFC are needed most.

Of course, this is also when our strategic competitors are looking to take advantage of the situation to advance their influence. If I am fortunate enough to be confirmed, I look forward to working with the committee to ensure that DFC maximizes its tools and is a robust alternative to authoritarian financing that can leave developing countries worse off.

Mr. Chairman, I am committed to U.S. leadership and engagement in the world. And I am convinced that DFC will be at the forefront of our country's development policy for generations to come. If confirmed, I pledge to work closely with the committee to strengthen DFC's foundations so that the bold vision you had in drafting the BUILD Act becomes a reality.

Thank you for the opportunity to appear before you today, and I look forward to your questions.

[The prepared statement of Mr. Burrier follows:]

PREPARED STATEMENT OF EDWARD A. BURRIER

Chairman Risch, Ranking Member Menendez, and members of the committee: I am honored to appear before you today as the President's nominee to serve as the first Deputy Chief Executive Officer of the United States International Development Finance Corporation (DFC).

I greatly appreciate Chairman Royce's introduction. I owe more than just my career to the Chairman. As a young staffer on Capitol Hill, I met my wife of 14 years, Gretchen. She and our son William are here with me today, and I am grateful for their support. Like me, Gretchen has also spent her career in government, and she knows the demands, responsibilities, and honor that come with being a public servant.

I grew up in Fairfax, Virginia, the youngest son of two talented musicians. My father served in the United States Army Band for over 30 years. Integrity, respect

for others—and most of all—hard work, were instilled in me by my parents. As a senior in high school I volunteered for a local congressional candidate who went on to win a historic election. I was enthralled that I had played a small part in that democratic process—even if it was just stuffing envelopes.

While at Mary Washington College, I did several internships on Capitol Hill and spent one summer interning for a member of Parliament in London. In my last semester, I took a commuter train from Fredericksburg, Virginia to intern at the House Foreign Affairs Subcommittee on Africa—then chaired by Congressman Royce.

After graduation, the congressman offered me a job in his personal office—opening mail, answering phones, and giving Capitol tours to constituents from Orange County, California. Little did I know that I would spend the next 18 years working for the congressman. I worked my way up from the personal office to the committee and earned a master's degree in National Security from the U.S. Naval War College at night along the way.

I became Deputy Staff Director of the House Foreign Affairs Committee in 2013—a position I held for the next four and a half years. During that time, the committee worked—alongside this committee—to advance U.S. interests abroad, bolster those yearning for freedom, solidify alliances, and even helped put a warlord or two behind bars. Those results were achieved by being consultative, solution-oriented, and working across the aisle.

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Of course, this is also when our strategic competitors are looking to take advantage of the situation to expand their influence. If I am fortunate enough to be confirmed, I look forward to working with the committee to ensure that DFC maximizes its tools and is a robust alternative to authoritarian financing that can leave developing countries worse off.

Mr. Chairman, I am committed to U.S. leadership and engagement in the world. And I am convinced that DFC will be at the forefront of our country's development policy for generations to come. If confirmed, I pledge to work closely with the committee to strengthen DFC's foundations so that the bold vision you had in drafting the BUILD Act becomes a reality.

Thank you for the opportunity to appear before you today. I look forward to your questions.

The CHAIRMAN. Thank you so much. I appreciate those words. General Dayton, you are up.

**STATEMENT OF LIEUTENANT GENERAL KEITH W. DAYTON,
UNITED STATES ARMY, RETIRED, OF WASHINGTON, TO BE
AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF
THE UNITED STATES OF AMERICA TO UKRAINE**

Mr. DAYTON. Chairman Risch, Ranking Member Menendez, and members of this committee, it is an honor to appear before you today as President Trump's nominee to serve as the U.S. Ambassador to Ukraine. If confirmed, I look forward to working with this committee and Congress to continue our strong bipartisan support

for the Ukrainian people, to enhance our already deep bilateral relationship, support Ukraine's reform agenda, counter Russian malign influence, and work to fully restore Ukraine's sovereignty and territorial integrity. These steps will be critical to advancing our shared goal of Ukraine joining the Euro-Atlantic community as a free and full member.

My name is Keith Dayton. I am married to Carol, my wife of almost 45 years. We have three married children, five grandchildren, and one more on the way.

I have dedicated the past 50 years of my life to public service. I retired from the U.S. Army as a lieutenant general in 2010, after more than 40 years in uniform, and for the past almost 10 years, I have been the Director of the George C. Marshall European Center for Security Studies in Garmisch-Partenkirchen, Germany, addressing regional and transnational security issues for both the United States and Germany.

Ukraine has been part of my life for 40 years. After I was commissioned in 1970 as a field artillery officer, I learned Russian and graduated from the U.S. Army Russian Institute in Germany as a Soviet foreign area officer. It was through the Russian Institute that I had the first opportunity to visit Soviet Ukraine in 1980. I will never forget the experience of meeting Ukrainians and recognizing the deep pride they have in their history and culture, while appreciating the incredible suffering inflicted on the Ukrainian people by foreign powers throughout their history.

As a Soviet Russia military specialist, I have had various assignments, culminating as the U.S. defense attache in Moscow as a brigadier general. As a lieutenant general, I served as the U.S. Security Coordinator for Israel and the Palestinian Authority in Jerusalem from 2005 to 2010. I reported directly to the Secretary of State as I led a multinational team working with the Israeli Government and the Palestinians. As such, I operated at the most senior levels in Jordan, Egypt, Saudi Arabia, the United Arab Emirates, and Qatar, as well as with Ottawa, London, and Washington. I was both a diplomat and a soldier.

After retiring from the Army in 2010, I continued to serve my country as the Director of the Marshall Center. The Revolution of Dignity brought Ukraine back to the center of my attention. Inspired by the fierce commitment to democracy and freedom by the protesters on the Maidan, I directed the Marshall Center to create a comprehensive program of seminars and assistance to Ukraine focusing on civil-military relations, civilian oversight of the armed forces, and security sector reform. The goal was to help Ukraine's new leadership adopt Euro-Atlantic principles of government and take the steps required to one day join NATO. I am proud to note that in this endeavor I have had the enthusiastic help of the U.S. Senate.

In October 2018, then Secretary of Defense Jim Mattis asked me to be the U.S. Defense Advisor to Ukraine. In this role, I chaired the Defense Reform Advisory Board composed of the United States, Canada, the UK, Poland, Lithuania, and Germany. We serve as strategic advisors to the Ukrainian defense minister and meet him often. I have come to know firsthand today's Ukraine and its many challenges, and I have developed relationships with supporters of

Ukraine in the U.S. Congress, at the Department of Defense, and the Department of State.

The Ukraine I encountered as a young man in 1980 was very different from the vibrant and hopeful country I work with as the Defense Advisor, but the fundamental challenges remain the same. Ukraine seeks to rid itself of Moscow's interference, eliminate corruption, and build a government that is accountable, transparent, and responsive to all its citizens. But one thing has not changed and will not change and that is that it is in the national security interests of the United States for Ukraine to overcome these challenges and achieve a future in which Ukraine is whole, democratic, and free.

There is much at stake here. Ukraine is trying to achieve a just and peaceful resolution to a conflict created and fueled by Russia that has left 13,000 dead and caused untold suffering. President Zelenskyy has made ending this conflict a cornerstone of his administration, and while the United States remains an advocate for a diplomatic resolution, we support Ukraine's right to defend itself against Russia's ongoing aggression in the east and resist Russia's illegal occupation of Crimea.

At the same time, Ukraine must continue on the difficult path of implementing rule of law, good governance, and economic reform. This is hard work. From the Orange Revolution to the Revolution of Dignity and the 2019 elections that brought President Zelenskyy and his party to power, Ukrainians have repeatedly demanded accountable leadership, an end to corruption, and transparent, independent judicial and law enforcement bodies that respond to citizens' needs over the demands of oligarchs and other interests.

And Mr. Chairman, if confirmed, I will work with Ukraine's leadership to ensure these reforms remain at the top of their national agenda.

Mr. Chairman and members of the committee, thank you for this opportunity to talk to you, and I welcome any questions you may have.

[The prepared statement of Mr. Dayton follows:]

PREPARED STATEMENT OF LIEUTENANT GENERAL (RET.) KEITH DAYTON

Chairman Risch, Ranking Member Menendez, and members of this committee. It is an honor to appear before you today as President Trump's nominee to serve as the United States' Ambassador to Ukraine. If confirmed, I look forward to working with this committee and Congress to continue our strong bipartisan support for the Ukrainian people, enhance our already deep bilateral relationship, support Ukraine's reform agenda, counter Russian malign influence, and work to fully restore sovereignty and territorial integrity. These steps will be critical to advancing our shared goal of Ukraine joining the Euro-Atlantic community as a full and free member.

My name is Keith Dayton. I am married to Carol, my wife of almost 45 years. We have three grown children, five grandchildren, and one more on the way. I have dedicated the past 50 years of my life to public service. I retired from the U.S. Army as a lieutenant general in 2010 after more than 40 years in uniform, and for nearly 10 years I have served as director of the Marshall Center, addressing regional and transnational security issues for the United States and Germany.

Ukraine has been a part of my life for forty years. After I was commissioned in 1970 as a field artillery officer, I learned Russian and eventually attended and graduated from the U.S. Army Russian Institute. It was through the Russian Institute that I first had the opportunity to visit Ukraine in 1980. I will never forget the experience of meeting Ukrainians and recognizing the deep pride they have in their

history and culture, while appreciating the incredible suffering inflicted on the Ukrainian people by foreign powers throughout their history.

My subsequent military assignments took me far from Ukraine but immersed me in the world of diplomacy. I accepted several Foreign Area Officer deployments at our Embassies abroad, culminating in my assignment as the U.S. Defense Attaché in Moscow as a brigadier general. As a lieutenant general, I served as U.S. Security Coordinator for Israel and the Palestinian Authority in Jerusalem from 2005-2010. In this role I reported directly to the Secretary of State as I led a multinational team in almost constant contact with the Israeli Government and Palestinian authorities. I routinely conducted liaisons at the most senior levels in Jordan, Egypt, Saudi Arabia, the United Arab Emirates and Qatar, not to mention Ottawa, London, and Washington.

After retiring from the Army in 2010, I was offered the opportunity to continue the practice of diplomacy and serve my country as director of the George C. Marshall European Center for Security Studies in Garmisch, Germany. Not long after I joined the Marshall Center, the Revolution of Dignity brought Ukraine back to the forefront of my diplomatic responsibilities. Inspired by the fierce commitment to democracy and freedom by the protesters on the Maidan, the Marshall Center began a comprehensive program of seminars and assistance to Ukraine focusing on civil-military relations, civilian oversight of the armed forces, and security sector reform to help Ukraine's new leadership adopt Euro-Atlantic principles of government and take the steps required to join NATO. I am proud to note that this endeavor would not have been possible without support from within the U.S. Senate.

In October 2018, then Secretary of Defense Jim Mattis asked me to be the Senior U.S. Defense Advisor to Ukraine. In this role, I chair the Defense Reform Advisory Board composed of the United States, Canada, the UK, Poland, Lithuania, and Germany. We serve as strategic advisors to the Ukrainian Defense Minister. Before the COVID-19 crisis, I would visit Ukraine at least once every six weeks to provide strategic advice to the Minister of Defense and his deputies. As a result of these engagements, I have come to know and understand Ukraine and its many challenges, and I have developed relationships with supporters of Ukraine in the U.S. Congress, at the Department of Defense, and at the Department of State.

The Ukraine I encountered as a young man in 1980 is very different from the vibrant and hopeful country I work with as Senior Defense Advisor, but the fundamental challenges remain the same: Ukraine seeks to rid itself of Moscow's interference and build a government that is accountable, transparent, and responsive to its citizens. One thing that has not changed—and will not change—is that it is in the national security interests of the United States for Ukraine to overcome these challenges and achieve a future in which it is whole, democratic, and free.

Although the journey has not always been easy, Ukraine has made great progress. In the United States, Ukraine will always find a partner and friend. I come before this committee today honored and humbled to be nominated to head the U.S. diplomatic mission in Kyiv as Ukraine takes the next steps in its national project: ending aggressive Russian actions on its territory and making the necessary democratic reforms to establish itself as a modern European state and NATO member.

We must not forget what is at stake. Ukraine is trying to achieve a just and peaceful resolution to a conflict created and fueled by Russia that has left 13,000 dead and caused untold civilian suffering. President Zelenskyy made ending this conflict a cornerstone of his administration, and the United States has always been and will be an advocate for a diplomatic resolution.

I want to be clear, however, that the United States fully supports Ukraine's efforts to defend itself against Russia's ongoing aggression in eastern Ukraine. Russia is responsible for this conflict, and we are committed to working with our Ukrainian and European partners to continue to impose political and economic costs on Russia for its actions.

We are equally committed to supporting the complete restoration of Ukraine's sovereignty and territorial integrity, including an end to Russia's blatant violations of international law in Crimea. To move forward productively and in good faith, Russia must honor and implement its commitments under the Minsk agreements.

At home, Ukraine must continue on the path of implementing rule of law, good governance, and economic reforms that ensure the Government is accountable to its citizens. From the Orange Revolution to the Revolution of Dignity to the 2019 elections that brought President Zelenskyy and his party to power, Ukrainians have repeatedly demanded accountable leadership and transparent, independent judicial and law enforcement bodies that respond to citizens' needs over the demands of oligarchs and other vested interests.

I have personally witnessed this passion for reform in my interactions at the Marshall Center with young staffers from the National Anticorruption Bureau of

Ukraine working to investigate individuals involved in corruption, and in the efforts of the National Bank of Ukraine to push back against political influence. However, vested interests continue to resist reform—particularly, reform of the judicial and financial sectors.

A strong, independent central bank has been critical to Ukraine’s remarkable macroeconomic success over the past several years. Its continued independence is crucial to a post-COVID-19 economic recovery and to international confidence in Ukraine’s economy. If confirmed as ambassador, I will work with Ukraine’s leadership to ensure these reforms remain at the top of its agenda.

If confirmed, my priorities would be coordinated with Congress and the administration, but among them would have to be genuine reform of Ukraine’s armed forces and defense industry. My military background and current role as Ukraine’s Senior Defense Advisor provide me unique insight that I hope to leverage to assist Ukraine’s armed forces become an increasingly effective fighting force. This includes helping Ukraine implement the interoperability reforms necessary to achieve NATO membership. NATO’s recent decision to offer Enhanced Opportunity Partner status to Ukraine is a huge step in the right direction and the culmination of efforts I initiated at the Marshall Center in 2014 and advocated at the North Atlantic Council earlier this year.

Ukraine’s defense industrial base is also in need of urgent attention and transformational leadership. Years of corruption and mismanagement have pushed Ukrainian defense firms to the brink of collapse. This neglect has made Ukraine’s hard-earned intellectual property and defense technology vulnerable to Chinese exploitation and expropriation—something we cannot allow. We cannot turn a blind eye to China’s malign intentions in eastern Europe. Ukraine’s defense sector needs reform, but ultimately it should work for the people of Ukraine—not China.

Ukraine needs to ensure a level playing field through transparent economic institutions that deter vested interests and break the stranglehold of corruption. Only when international businesses have real confidence in their investments will Ukraine realize its full economic potential. Key to building that confidence is to make good on Ukraine’s reform commitments.

Over the past five years, the United States has provided over four billion dollars in aid, and others in the international community have provided billions more. Meeting the conditions set forth by international financial institutions will ensure Ukraine continues to serve its people—and I mean everyone—not just a few individuals. Continued compliance with Ukraine’s IMF and World Bank programs is the strongest signal the Government can send that it remains committed to reform.

Mr. Chairman and members of the committee, thank you for this opportunity to appear before you. I welcome any questions you may have. Thank you.

The CHAIRMAN. Thank you, General.

We will now turn to Ms. Fisher. Ms. Fisher, the floor is yours

STATEMENT OF JULIE D. FISHER, OF TENNESSEE, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BELARUS

Ms. FISHER. Chairman Risch, Ranking Member Menendez, members of this committee, it is an honor to appear before you today as President Trump’s nominee to serve as the first American Ambassador to Belarus since 2008. If confirmed, I look forward to working with this committee and Congress to reestablish the bilateral relationship and to support Belarus’ efforts to protect its sovereignty and independence in the face of political pressure aimed at undermining both.

I am joined today by my husband, Matthew Fisher. He has been a supporter of my career since the day I took the Foreign Service exam. And my achievements are due in large part to his unwavering support.

I am proud to hail from a family dedicated to our nation’s service. My grandfather, my father, my sister all served as naval offi-

cers at times of war and peace. My family joins us virtually, and I am grateful for their support.

If confirmed, I look forward to building on the work of our exceptional team in Minsk to further reforms and promote a more ambitious bilateral relationship. I will bring to this position 25 years of experience, including service at our embassies in Kyiv, Moscow, Tbilisi, and at NATO. Most recently I was honored to serve as Deputy Assistant Secretary of State focused on Western Europe and the European Union.

Our relationship with Belarus languished for more than a decade, but after Russia's illegal seizure and occupation of Crimea and its manufactured war in Ukraine's Donbas region, we began to see signs of interest from the Belarusians. Since 2018 and in line with the goals laid out in the National Security Strategy, we have advanced a more engaged approach that recognizes Belarus' right to chart its own future free from foreign dictates. Former Assistant Secretary Wess Mitchell initiated this outreach with his visit to Minsk in late 2018, and since then, we have seen increased engagement from both sides, culminating in Secretary Pompeo's visit to Minsk in February.

This Sunday, Belarus will hold its presidential election following an eventful and testy summer. Recent elections in Belarus have been neither free nor fair. Despite efforts to convince authorities to adopt OSCE recommendations, Belarus' 2019 parliamentary elections did not meet international standards. And neither the OSCE nor the Council of Europe will observe the upcoming elections. If confirmed, I intend to support the aspirations of the Belarusian people as they strive for democratic principles, including universal freedoms, civil liberties, and the rule of law.

We have encouraged Belarus to address pressing human rights priorities and implement the reforms outlined in the Belarus Democracy Act, which are essential for it to strengthen its international standing and fulfill its people's aspirations. Nonetheless, the Government continues to detain and pressure the opposition and impose restrictions on the press, civil society, and certain religious minorities. We have seen numerous incidents of such pressure during the ongoing election campaign, despite some modest improvements in the treatment of political opposition and independent civil society in recent years. In the face of insufficient progress on these issues, our relationship will continue to be bound by the constraints imposed by the terms of the Belarus Democracy Act.

However, there is encouraging progress in other areas. Belarus' young generation has a notable entrepreneurial spirit as evidenced in the dynamic growth of the information technology sector. Recent deliveries of American crude oil can help diversify Belarus' energy supply and support jobs here at home. Belarus is increasingly pursuing American investment and, if confirmed, I will support the creation of reciprocal business councils in Minsk and in Washington.

And we welcome Belarus' cooperation on priorities, including nonproliferation, law enforcement, and information sharing in fields such as border security, cybersecurity, and counternarcotics. If confirmed, I hope to build upon this foundation.

Embassy Minsk has grown in size since the Belarusian Government's decision to lift its cap on the number of American employees. And we are engaged in discussions to construct a new embassy compound. I have learned from experience in other fast-growing missions some of the risks of rapid growth, and I am committed to careful stewardship of taxpayer resources.

Finally, as Secretary Pompeo stated during his February visit to Minsk, we fully support Belarus' desire to make its own choices, pursue its own partnerships, and play a constructive role in the region. Belarus should not be forced to depend on any single nation, and we are not asking Belarus to choose between East and West. Countries, much like individuals, choose their friends but not their neighbors.

Mr. Chairman, Ranking Member Menendez, members of this committee, in closing, let me say that we have a real opportunity in Belarus. But this opportunity is a two-way street, and we will move ahead at the appropriate pace as the Belarusians are willing, as our national interests dictate, and as our values permit. I look forward to working with you as we carry this effort forward.

I thank you very much for the opportunity to appear today, and I welcome your questions.

[The prepared statement of Ms. Fisher follows:]

PREPARED STATEMENT OF MS. JULIE FISHER

Chairman Risch, Ranking Member Menendez, members of this committee. It is an honor to appear before you today as President Trump's nominee to serve as the first United States Ambassador to Belarus since 2008. If confirmed, I look forward to working with this committee and Congress to re-establish and strengthen the bilateral relationship at a critical time and to support Belarus's efforts to protect its sovereignty and independence in the face of unprecedented political pressure aimed at undermining both.

I am joined today by my husband Matthew Fisher who served alongside me in Kyiv and Moscow and endured my long days in the office and even longer commutes to places like Tbilisi and Brussels. He has been a supporter of my career since the day I took the Foreign Service exam, and my success is due in large part to his unwavering support. I am proud to hail from a family dedicated to our nation's service: my grandfather, father, and sister all served as Naval officers at times of war and peace. My family is joining online today, and I'd like to thank them for their support for as well.

If confirmed, I look forward to building on the work of our outstanding team in Minsk to further reforms and promote a more ambitious bilateral relationship. I will bring to this position twenty-five years of experience at the State Department including service at our Embassies in Kyiv, Moscow, Tbilisi, and at NATO, as well as tours at the National Security Council and at State Department headquarters. I most recently served as Deputy Assistant Secretary of State for European Affairs, focused on the relationships with our closest Allies and partners in Western Europe and in the European Union.

Following the withdrawal of our ambassador in 2008, the bilateral relationship with Belarus languished for the better part of a decade. But after Russia's illegal seizure and occupation of Crimea and its manufactured war in Ukraine's Donbas region, we began to see signs of interest from the Belarusian side for increased diplomatic and commercial ties. Since 2018, and in line with the goals laid out in the National Security Strategy of advancing American influence in an era of renewed great power competition, State Department leadership has sought to re-center our bilateral engagement with Belarus and advance a more engaged diplomatic approach and presence that recognizes Belarus's sovereignty and right to chart its own future free from foreign dictates. Former Assistant Secretary Wess Mitchell initiated senior U.S. Government engagement with his visit to Minsk in October 2018, and since then, we have seen an increased level of senior attention from both sides, culminating in Secretary Pompeo's visit to Minsk in February, the first cabinet-level visit to Minsk in over a quarter century.

This Sunday, Belarus will hold its presidential election following an eventful and testy summer. Recent elections in Belarus have been neither free nor fair, based on international standards. Despite the international community's efforts to convince Belarusian authorities to adopt the OSCE's recommendations, Belarus's 2019 parliamentary elections did not meet international standards, and neither the OSCE nor Council of Europe will observe the upcoming election, which is a break from past precedent and a reason why it is so important that the United States remains engaged. We have urged the Government of Belarus to ensure the upcoming elections are free and fair and to demonstrate restraint in the event of protests. If confirmed, I intend to support the continued aspirations of the Belarusian people for democratic principles, including universal freedoms, civil liberties, and the rule of law.

Human rights in Belarus remain a challenge. The United States has encouraged Belarus to address human rights priorities and implement the pro-democracy reforms outlined in the Belarus Democracy Act, which are essential for it to strengthen its international standing and fulfill its people's aspirations. At the core of the Belarus Democracy Act is a desire for increased space for a diversity of voices in Belarus, including the political opposition, civil society, and independent media. Despite numerous incidents during the ongoing election campaign, we have seen a trend of modest improvements in the treatment of the political opposition and independent civil society since 2015. Nevertheless, we remain concerned the Belarusian Government continues to detain and pressure the opposition and impose restrictions on the press, civil society, and certain religious minorities. In the absence of progress on these issues, our relationship will be bound by the constraints imposed by the terms of the Belarus Democracy Act.

In the areas where we see progress, there are success stories to recognize and encourage. Belarus's young generation has a remarkable entrepreneurial spirit, as evidenced in the dynamic growth of the information technology sector, demonstrating the potential for economic transformation. Another bright spot is the recent delivery to Belarus of 600,000 barrels of U.S. crude oil, with another shipment on the way. These shipments can help diversify Belarus's energy supply and support jobs here at home. Belarus is increasingly pursuing American investment and, if confirmed, I will support the creation of an American Chamber of Commerce in Minsk and a Washington D.C.-based U.S. business council focused on Belarus. Such organizations will facilitate U.S. trade and investment, champion American companies doing business in Belarus, and create jobs and economic growth in the United States.

I want to thank Congress for its support in providing assistance to Belarus. This assistance prioritizes respect for human rights, a stronger civil society, and freedom of expression. U.S. assistance aimed at the private sector spurs the development of entrepreneurs, small businesses, and the middle class. Thanks to Congressional support, we committed over \$7 million in 2019 to helping Belarus undertake and continue reforms.

The United States also welcomes Belarus's cooperation on key priorities including nonproliferation, law enforcement, and information sharing. Of note, Belarus has signed agreements to bolster efforts in fields such as border security, cybersecurity, and counter-narcotics. If confirmed, I hope to build upon this foundation and harness Belarus's desire to play a positive role in the region.

I'd like to note that since the Belarusian Government's March 2019 decision to lift its cap on staffing, the number of American employees at Embassy Minsk has already grown from ten to fourteen, and that number will grow further, commensurate with mission requirements. We are also engaged in discussions to construct a new embassy compound. I have learned from experiences in other fast-growing missions some of the potential risks of such growth, and I am committed to careful stewardship of taxpayer resources.

Finally, as Secretary Pompeo clearly stated during his visit to Minsk, we fully support Belarus's desire to make its own choices, pursue its own partnerships, and play a constructive role in the region. We respect its sovereignty and self-determination. Belarus should not be forced to depend on any single nation for its prosperity or security, and we are not asking Belarus to choose between East and West. Countries, much like individuals, choose their friends but not their neighbors.

Mr. Chairman, Ranking Member Menendez, in closing, let me say that we have an opportunity in Belarus. For the sake of regional security and stability, we cannot allow this opportunity to pass us by. Cooperation is a two-way street, and we will move ahead at the appropriate pace as the Belarusians are willing, as our national interests dictate, and as our values permit. If confirmed, I will use my years of diplomatic experience in this region to pursue our country's overarching mission to create a safer, more democratic and prosperous world for the benefit of the American people.

Thank you for this opportunity to appear before you; I welcome any questions you may have.

The CHAIRMAN. Thank you very much, Ms. Fisher. You certainly have challenges in Belarus. I think all of us were disappointed that the elections being held are being held under the circumstances they are and without the recognition of the international community. I think it is going to be difficult for the Belarus people to accept those elections. We will see how they handle it. But you have your challenges. Thank you for taking this on.

With that, we will turn to Mr. Wong.

STATEMENT OF ALEX NELSON WONG, OF NEW JERSEY, TO BE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS WITH THE RANK OF AMBASSADOR, AND TO BE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS DURING HIS TENURE OF SERVICE AS ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS

Mr. WONG. Thank you, Senator. Chairman Risch, Ranking Member Menendez, distinguished members of the committee, I am deeply honored to appear before you as the President's nominee to serve as the Alternate Representative for Special Political Affairs at the United Nations. And I am humbled by the confidence President Trump, Secretary Pompeo, and Ambassador Craft have shown in me with this nomination.

And I want to particularly thank Senators Romney and Cotton not just for their kind introductions but for the outsized roles that they have played in my career.

There are so many other people to thank for bringing me to this point in my professional life: the late Ambassador Schweich, Judge Janice Brown, Lanhee Chen, the late Ambassador Rich Williamson, Paula Dobriansky, National Security Advisor Robert O'Brien, Brian Hook, Ambassador Stu Eizenstat, and Deputy Secretary Steve Biegun. All of these distinguished statesmen and women gave me the opportunity to fail, succeed, and to grow as a professional. I am greatly indebted to them all.

All of these individuals took a chance on me, but it was my parents, Robert and Grace Wong, who took the biggest chance of all for my sake. They left Hong Kong 43 years ago. They settled into a single-room rental in Kew Gardens, Queens, with an infant, a bus pass for the commute to an arduous and unstable job, and a whole lot of belief in the United States of America. If I am so fortunate to return to the city that welcomed them to America to represent the country they so dearly believed in, it will vindicate that belief in a way they could have scarcely imagined as newly arrived immigrants.

And, Mr. Chairman, I am truly blessed to have three godsenders who sustain me every day, who inspire me, and who give my life its meaning: my baby girl Avery, my dear son Chase, and my beautiful bride Candice.

Mr. Chairman, my professional life has been focused on advancing U.S. interests in the foreign policy realm. I joined the civilian surge in Iraq that was so necessary to complement the military surge. I had the opportunity to work as Senate staff to advise and support Senator Cotton on a range of national security matters. And 3 years ago, I returned to the State Department, first, to deepen U.S. engagement in the Indo-Pacific and, second to help realize the final, fully verified denuclearization of North Korea.

In all of these roles, I have been reminded of the importance of pragmatism in an arena as difficult and uncertain as foreign affairs. But I have also seen the overriding value of standing firmly and boldly for American principles. My late mentor, Rich Williamson, who held the very job I have been nominated for, would often say to me you have to be a realist to take steps in the everyday, but an idealist to know in which direction you are going. That is a philosophy I would bring to the United Nations.

Mr. Chairman, many of the core functions of the United Nations are centered at the Security Council. The council has a weighty mandate to preserve international peace and security. But too often, it does not live up to it.

The world has no doubt entered into a period of heightened geopolitical competition. This is a time when the United States and our friends and allies in the free world are facing greater challenges and more dire threats. This heightened competition is manifesting itself at the Security Council and the wider U.N. system.

This is in large part why the council has not been able to take decisive action, as the U.N. Charter demands and as our conscience demands, to address conflict and human suffering in hotspots spanning the globe. Russia and China block discussion of Maduro's crimes in Venezuela. Because the Assad regime has two permanent P5 protectors, the council has never done right by the Syrian people in this decade of their suffering. And I must note that even in this year of 2020, well into the 21st century, our close and steadfast friend Israel still faces attacks in the U.N. system that echo the most sinister prejudices of centuries past.

Even though our work at the council may be harder in this era of great power competition, even though it may be frustrating, it does not mean it is any less important. In fact, I believe it is more important than ever. Strategic, principled, and tireless diplomacy at the council is needed to unify our partners, to blunt damaging initiatives, and to advance U.S. interests that benefit the world.

Now, there are functions of the council that, for the most part are working. U.N. peacekeeping is a vital institution for promoting international peace and security. To protect the credibility of that institution and, more importantly, to protect vulnerable populations around the world, the United States has demanded and successfully won increased scrutiny and reform of peacekeeping budgets, mandates, and accountability mechanisms for poor performance and misconduct. Our efforts, as well as the efforts of this committee, have resulted in new training, reporting, and accountability measures for sexual exploitation and abuse committed by peacekeeping personnel. And we have succeeded in giving missions realistic and achievable mandates, as well as clear exit strategies to

keep them from remaining in place beyond their useful purpose, which was too often the case in the past.

Mr. Chairman and members of the committee, in an era of great power competition in which the values of the free world are under pressure, I believe it is vital for the United States to hold firmly to its position of leadership at the United Nations. It is American values, liberty, fundamental rights, and the sovereignty of a nation's people, that animate a just and workable international system. Those values will always be at the front of my mind if I am so fortunate as to be confirmed for this position.

Thank you, and I look forward to your questions.
[The prepared statement of Mr. Wong follows:]

PREPARED STATEMENT OF ALEX N. WONG

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Thank you, and I look forward to your questions.

The CHAIRMAN. Thank you, Mr. Wong. We appreciate your remarks.

We are going to do a 5-minute round of questioning now, and we are going to do it on a seniority basis since it impossible to keep track of who showed up first.

So the most difficult proposition here is the 5-minute clock. We are going to be on the honor system. Now, we all know that did not work so well when our clock was broken in the committee, but we are going to give it a go again. We are not completely on the honor system because I do have a 5-minute clock. As the ranking member pointed out, there are important things to explore here, and we will try to give everybody a shot at it and then come back again with another round for those that have other questions. And there are a lot of questions on [inaudible].

So with that, I will turn it over to Senator Menendez [inaudible] on the clock.

Senator MENENDEZ. Well, thank you, Mr. Chairman.

General Dayton, if confirmed, do you commit to not meet with Rudy Giuliani or his associates?

Mr. DAYTON. Senator, I am not going to commit to that because I believe that as an Ambassador I would have the obligation to meet with any U.S. citizen and hear them out if they come.

But let me assure you. I have spent 50 years in the service to this country, and the guiding principles of my life have been the triad of duty, honor, and country. And anything I would deal with Mr. Giuliani or any other person who approaches me will be guided by—

Senator MENENDEZ. You are aware, General, of why I even asked that question I assume. Correct?

Mr. DAYTON. I am aware of what I have read in the papers, Senator, but I had nothing to do with and I was not involved in any way in the episodes—

Senator MENENDEZ. I appreciate that you were not engaged with it, but you are going to be, if confirmed, the Ambassador at an embassy, which has been rife with the use of political actors to try to influence and undermine the course of U.S. elections. I think that is a high calling and responsibility.

So let me ask you this. If confirmed, do you commit to report to the appropriate channels and to this committee if you become aware of any efforts to interfere in the November 2020 U.S. elections?

Mr. DAYTON. Senator, I think if that were to occur, that would be a very reasonable request on your part. I would, of course, consult with my State Department colleagues, but that sounds reasonable to me.

Senator MENENDEZ. Okay. Let me refine the question. Would you tell members of the committee of jurisdiction, the one that you are before for confirmation, that you had become aware of efforts to interfere in the 2020 U.S. elections if that information came before you?

Mr. DAYTON. Again, I would have to know what the circumstances are, but I see no reason not to do that. It makes sense to me.

Senator MENENDEZ. Well, I am a little alarmed by your equivocation.

Let me ask you, should security assistance to any country be delayed in order to gain domestic political advantage?

Mr. DAYTON. No.

Senator MENENDEZ. Was it wrong for the President to withhold security assistance from Ukraine in 2019?

Mr. DAYTON. I am not sure what the exact circumstances were on that. I was not in Ukraine at the time. And I was not aware that this had affected any of our efforts that we dealt with on Ukraine at the time.

The President does what the President does, and I am there at the discretion of the President and I fully understand that. But I am also, if I am confirmed as Ambassador to Ukraine, I am at the disposal of the American public as well.

Senator MENENDEZ. Well, when you take an oath, if you are confirmed, it will not be to the President of the United States. Correct?

Mr. DAYTON. I believe it will be the same oath I have taken all my life, which is to the Constitution of the United States.

Senator MENENDEZ. Correct, and Article I of the Constitution is the Congress of the United States.

And so I am deeply concerned when nominees equivocate on sharing information with the committee of jurisdiction, particularly with a history that we have in Ukraine.

Will you, if confirmed, remain vigilant and try to prevent individuals from interfering in our election process if that information comes before you?

Mr. DAYTON. Yes.

Senator MENENDEZ. Following attacks on Ambassador Yovanovitch and other career employees from the U.S. embassy in Kyiv, I remain concerned about the toll of those attacks on morale and other career public servants. What will you do to boost morale

and send a clear message that you support career employees, if you are confirmed?

Mr. DAYTON. For 50 years, Senator, I have been a team builder in the Army and here at the Marshall Center, and I will build a team that—a team is already in place. I think they are in pretty good shape. I have met with many of them over the last year and a half. But I will, indeed, build a team that is united in its efforts to advance American interests in Ukraine.

Senator MENENDEZ. Let me turn to another question. Have you read the Ukraine Security Partnership Act that Senator Risch and I introduced last week?

Mr. DAYTON. I have not read it in detail. I have read what is the National Defense Appropriations Act, but I have not read the act that you refer to.

Senator MENENDEZ. What are your views on increasing FMF and IMET security assistance for Ukraine as it encounters Russian aggression?

Mr. DAYTON. I think it is a very good idea and it is something I support wholeheartedly especially with the recent experience I have had of the last 22 months as the defense advisor.

Senator MENENDEZ. Let me turn to Ms. Barber for a moment. Ms. Barber, your career to date has been as a tax attorney. You have no experience in foreign policy, no experience in multilateral diplomacy, or expertise in economic and social issues. But should you be confirmed as the Ambassador to this position, you would be charged to help to coordinate the work of many U.N. specialized agencies, including the World Health Organization, which the President announced his intention to withdraw from. You also will be representing the U.S. Government in critical forums for global coordination on issues of gender and women's human rights, including the Commission on the Status of Women.

I have some serious concerns regarding the administration's attempts to restrict women's rights.

First of all, how are you going to meet these challenges of being in a multilateral organization but us withdrawing from multilateral organizations? And do you intend to use your position to bolster global cooperation and continue progress on gender and women's rights issues, or will you continue the efforts we have seen so far in the administration to weaken our commitments for gender equality?

Ms. BARBER. Senator, I believe that effective diplomacy is identifying shared values and developing personal relationships to reach those common goals. And if confirmed, I will take my experience and my expertise in negotiations and problem solving, litigation, and innovative thinking to try to tackle these various issues that you mentioned.

As it relates to the World Health Organization and other organizations that the United States participates in, I believe that global participation is important, but I think that it is also important that we see contributions from other member states that is not so disparate to the United States' participation and contributions. And if confirmed, I will work hard to bring likeminded partners to the table and try to expand resources and contributions from other states so that we can tackle some of the really rising humanitarian

needs and human rights issues that the United States has been a global leader on.

As it relates to women and girls, I am the first in my family to graduate from high school. So as I mentioned in my opening statement, it is a priority for me to see that girls have access to education and women have equal opportunity in the workplace. And for that reason, I will absolutely be focused on issues relating to women and girls. I have seen where Ambassador Craft has traveled to many places and from South Sudan to the Syrian border—

Senator MENENDEZ. I appreciate your lengthy answer, but let me get to the specifics of what I was trying to get with you, which is you are aware that the administration has taken unprecedented hardline positions against longstanding agreement upon language on gender-based violence, as well as sexual and reproductive health issues. What is going to be the position that you will advocate if you are confirmed on these issues?

Ms. BARBER. Senator, if confirmed, I will work hard to try to build consensus on resolutions that benefit women and girls. I think it is important that we have to empower them and unlock their potential.

And as it relates to some terminology that you are referencing that may prevent us from joining in, it is my priority to try to build consensus on clear terminology so that we can make most effective those resolutions for women and girls.

Senator MENENDEZ. Well, the consensus—I will not belabor it because I want to not overstep the chairman's generosity. I will come back.

But the consensus has existed. So you do not need to build consensus. The consensus has existed over these longstanding, agreed-upon language on gender-based violence and what U.S. law has been and the Siljander amendment prohibiting the use of foreign assistance funds to lobby for or against some of these issues in multilateral organizations. So it worries me that you think you have to create consensus. The consensus exists. The question is what you are going to do on behalf of the United States to follow and to build upon that consensus versus trying to create a new consensus that will not help women with gender violence issues.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Menendez.

We will now turn to Senator Johnson, and after Senator Johnson will be Senator Cardin. So, Senator Johnson.

Senator JOHNSON. Thank you, Mr. Chairman. I have got my own timer, so I will not abuse the time.

The CHAIRMAN. Good for you.

Senator JOHNSON. General Dayton, obviously, you have a great deal of experience in Ukraine. I actually want to get some real information out of you because of that.

Can you just update us in terms of the general assessment of where Ukraine stands militarily in eastern Ukraine, the Kerch Strait, Sea of Azov? Give me that basic military assessment. I kind of want to get your assessment of the politics as well, the political situation. But start militarily. Have we progressed over the last 3 and a half years? Have we made progress? General Dayton?

Mr. DAYTON. Senator, we have made a lot of progress. We have a lot more to do.

I hope this is working right. It looks like you and I may be talking on top of each other.

You hit a big point, though, which is the Black Sea, Sea of Azov, Black Sea. This is going to become a much more important strategic entity than it has been in the past. And where the Ukrainians need a lot more help is going to be with their navy. It is going to be with their air force. They have always had a ground forces-centric military. They need to outgrow that a bit.

Now, the situation in the east is stable. Could the Russians invade tomorrow? They could but they would take a very bloody nose to do it. And I think I would probably leave it at that. But we have a lot of work to do.

What I like is the fact that the Ukrainians have truly embraced defense reform in a way that when I started my advisory work 22 months ago, I did not think they were capable of, and they have really come around.

Senator JOHNSON. President Zelenskyy—first of all, I think he is a smart man. I think he understands the mandate he received from the Ukrainian people to rid the country of corruption. I think in one of his speeches before the High Anti-Corruption Court, he said we are just not going to reduce corruption. He plans to defeat it. It is very difficult in Ukraine. I keep talking about Ukraine having to get past the era of the oligarchs.

Can you give us your basic assessment in terms of how he is doing, what he is up against, just the challenges from a political standpoint? As we all recognize, the table stakes in any of these Eastern European countries is to reduce the level of corruption so they can attract investment and have a greater economic opportunity.

Mr. DAYTON. Senator, on the plus side, the Zelenskyy regime and the new parliament have done a lot in areas of agriculture, banking, health, education, good governance, law enforcement, and judiciary. That is on the plus side. They built institutions.

On the negative side, the oligarchs are still there. They are very powerful, and I think that this is going to be an area that I will have to deal with, if I am confirmed, in a very serious manner. You know, we have gone over a year without a U.S. Ambassador to Ukraine, and I really do think that a U.S. senior presence will help President Zelenskyy deal with some of these issues. But the oligarchs—it is kind of like in Star Wars. The empire is trying to strike back. Zelenskyy is having some challenges now, and I think he needs a little bit of our help in a way that we have not been able to do it in the last year.

Senator JOHNSON. One of the issues in Ukraine is, of course, the oligarchs control the media. We have billionaires control our media as well. But you have total control of the economy, as well as the media, and that is a significant challenge for any leader that is trying to rid the country of corruption.

Can you basically speak to that challenge?

Mr. DAYTON. It is a challenge, and you are absolutely right. Mr. Kolomoisky owns half of the radio and television stations in

Ukraine, and the ones he does not own are being broadcast into Ukraine by Russia.

We are working on this. I know the State Department has a program working on challenging disinformation that is coming not just from the Russians but from the oligarchs as well. But this is going to be a long-term project, and it is something that I will definitely get into, if I am confirmed.

Senator JOHNSON. So just real quick. President Zelenskyy won with over 70 percent approval, really a stunning electoral success. Has the media, have the oligarchs done a pretty good job of degrading that public support? Where does he stand publicly right now?

Mr. DAYTON. Senator, the last poll I saw he was still at least twice as popular among the public as anybody else, but his numbers are not at the stratosphere as they were before. Of course, they have come down. But again, you have to be careful of the polling there too. As you know, Senator, more than anybody, the disinformation campaigns in this part of the world are phenomenal, and even some of the polling is quite suspect. I think he is still pretty popular. I think if elections were held tomorrow, he would do very well and would be reelected. But—but—and I emphasize but—he needs some help because the bloom is off the rose here a little bit.

Senator JOHNSON. Well, thank you for your service and good luck to you. God bless you.

The CHAIRMAN. Thank you, Senator Johnson.

We will now move to Senator Cardin.

Senator CARDIN. Thank you, Mr. Chairman.

And let me thank all of our nominees for their willingness to serve our country. We appreciate that very much, and we also send our thanks to your families, because we know this is a family commitment.

Ms. Barber, I want to follow up on Senator Menendez's points in regards to the advancement of American values. How do you see the sustainable development goals and our participation in that as a way to advance our goals?

Ms. BARBER. Thank you, Senator Cardin.

I think the sustainable development goals are an important framework from within which the U.N. member states need to work.

I also think that it may be best enforced locally versus globally. I understand that there is not member consensus on the goals and the prioritization of those goals. So I am interested in learning more about how the prioritization will evolve. And I do support them. I think that they provide a strong basis for targets for countries.

Senator CARDIN. Are you familiar with Goal 16, which deals with good governance?

Ms. BARBER. I am.

Senator CARDIN. It states basically we cannot hope for sustainable development without peace, stability, human rights, and effective governance based on the rule of law.

My point is this. The record on these goals has been pretty good. It is a universal commitment to deal with poverty, to deal with education, to deal with gender equity, to deal with health care and

to deal with good governance now. So it really is an international commitment to achieve these goals, and metrics are developed to show how well we are doing. We have a deadline. You are familiar with the date on which these goals are supposed to be met?

Ms. BARBER. Yes.

Senator CARDIN. So how will you use your office, if confirmed, to make sure that we in fact have demonstrable progress in meeting these goals? I could point to the fact that in 2019, 357 killings were reported of human rights defenders in 47 countries. That is a metric that needs to change. So how are you going to use that to advance human rights?

Ms. BARBER. Senator, I agree with you, and I will work with a strong team at the U.S. mission that currently exists. I believe that they are focused on the sustainable development goals and that they are working on making sure that the United States makes progress in these areas. So I will continue to build on the momentum that they have and work with them to see to it that we make improvement in these areas.

Senator CARDIN. I just would encourage you to work with our committee. There is strong support for holding countries accountable. This is an international commitment and effort. We have the private sector working with us, as well as governmental entities, to advance the end of dealing with poverty and education, but also good governance, which is the key contribution that I think that the United States can make in these efforts, and we will need you championing those issues.

Mr. Burrier, I want to just get to one issue. You said you helped develop the BUILD Act, which deals very much with the DFC. Part of that is a commitment that at least 50 percent of the business is done by small businesses. I mention that specifically because COVID-19 has had just a horrible impact on all businesses, but small businesses do not have the resiliency. So attention to small businesses is even more important now.

What commitment can you give us that you will work to make sure that goal is complied with?

Mr. BURRIER. Thank you very much, Senator. And obviously, thank you for your leadership on the BUILD Act. I remember working with you and your staff on that provision.

Like OPIC before it, we have a strong commitment to helping both small businesses here in the United States. I remember working with Ellicott Dredges on that project in Iraq. And as you put your finger on it, this support for small and medium-sized enterprises in the developing world is going to be absolutely critical. Much like our economy at home, the economies in the developing are powered and engined by these small businesses. And so we are having to shift our strategy a bit to make sure that we are working with financial institutions in the developing world that can lend quickly to these small enterprises to ensure that these economies can keep going.

Senator CARDIN. Thank you.

Ms. Fisher, I will ask you one question on Belarus. It is exciting that we are going to, hopefully, have a confirmed Ambassador. I have been to the country.

Let us not mistake the move away from Russia as necessarily a move towards democracy because we have seen with the Government very little real progress in defending the human rights of the people who live in their country or free and fair elections. I know we have elections coming up. It will be challenging if they can meet the standards of free and fair elections.

So I hope that we can count on you to give us an honest account of how well Belarus is doing on the human rights and the good governance reforms, anti-corruption, et cetera, and not just try to remove them from Russia. We do not want them under Russia's umbrella, but quite frankly, Belarus has been pretty independent for a long time. It has not really been dependably by Russia for a long time.

So what is your game plan on trying to establish realistic goals that we can advance our values in Belarus?

Ms. FISHER. Thank you, Senator. I really appreciate the question because I think it is at the heart of the challenge that we face as we reestablish this bilateral relationship with Belarus.

I think a big part of the challenge for me in answering this question is that we have been really hobbled in our efforts to fully engage in Belarus with such a limited number of [inaudible] and such limited facilities in Belarus. Getting the story out, being able to communicate back what is happening on the ground is a particular challenge, and to be very frank, it is even harder in the current environment.

I will tell you I am committed to making sure that the story as we see it, as we observe it from the embassy, if I am confirmed, is what gets through to you, is what gets through to our partners in Congress, as well as across Washington. The goal of this process is not simply to send an ambassador so that we can move beyond the terms of the Belarus Democracy Act. It is to see whether our enhanced engagement can actually lead to greater results as we seek to support the aspirations of the Belarusian people.

So in my view, it will be a long-term effort. It will not be quick. It is going to take us time, and I really look forward to being on the ground and engaging directly because there is such a tremendous difference between what we can do from afar and across an ocean versus that personal engagement on the ground. And that is what I look forward to.

Senator CARDIN. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Cardin.

We will now move to Senator Portman.

Senator PORTMAN. Did you say Senator Portman, Mr. Chairman?

The CHAIRMAN. I did. That is you.

Senator PORTMAN. Excellent. All right. Thank you very much.

And to all the nominees, I appreciate your willingness to step forward and serve your country at an important time in some really important roles.

Lieutenant General Dayton is a star, and Mr. Chairman, I think you know how I feel about him. I think he is the right person at the right time. He has a distinguished military career, and since he hung up his uniform, he has continued to serve as Director of the George C. Marshall European Center for Security Studies. And he has used that post effectively in my view to increase democracy

development in Europe and especially in Ukraine. And you saw, by the way, a number of seminars from members of the Ukrainian military and the Rada. My own staff at the Permanent Subcommittee on Investigations has assisted with teaching some of those classes. That is where I first came to know General Dayton. And I believe he is knowledgeable, passionate about the issues as we have seen today, and has worked hard to make the Ukrainian military a more capable and credible force and one that does help fight corruption, that does have civilian control. That is a big accomplishment that I think he is largely responsible for.

He has got instant credibility in Ukraine. We need somebody who can hit the ground running right now.

So he has got my support, and I hope my colleagues will support him and continue to work with him.

We have got real threats right now in Ukraine, obviously. Russia continues to be aggressive on the eastern border. The devastating impact of the COVID-19 pandemic on all countries has also visited Ukraine unfortunately. And we need a confirmed Ambassador there badly.

So as I have said before, I think Ukraine is a critical strategic partner of the United States. They have come to us. You know, they have turned to the West, and we want to help them to build a more free, open, and democratic society. I think, although they have made strides, they are at a critical point again right now. And I think, General Dayton, you are the right person to help them continue on that path.

I do have a letter I would like to enter into the record by unanimous consent, which was written by the Ukrainian Congress Committee of America regarding General Dayton. Mr. Chairman, I have already sent that electronically to your staff.

The CHAIRMAN. That will be introduced into the record.

[The document referred to above can be found at the end of this hearing transcript.]

Senator PORTMAN. General, you talked briefly about the NDAA, and as you know, we have a requirement in there for a combined Department of Defense and Department of State capabilities report on gaps in the Ukrainian military and development of a multiyear strategy to address those issues. I think this report is important because it will pinpoint the equipment and resources that Ukraine needs to push back against the continued Russian aggression in the Donbas and Crimea, and frankly since we started assisting Ukraine in fiscal year 2016 budgets, I have been encouraged by some of the progress we have made, but I have been discouraged that we have not had this type of report for Ukraine to be able to put it all together.

By the way, I also support the legislation strongly that Chairman Risch and Senator Menendez have led with me and Senator Murphy and I believe others now, which would be an authorization bill. And Senator Menendez talked about that earlier.

But with regard to the NDAA report, could you comment on that, General Dayton? Do you believe that that report is appropriate? Do you believe it would be helpful?

Mr. DAYTON. Sorry, Senator. I had a problem with my computer for a second.

I think it is very important, and it is a great opportunity for us to get Ukraine to finish focusing on mapping out requirements and priorities with our help. We have been advocating a capabilities-based mid-term planning effort for the Ukrainians for the last at least 2 to 3 years. They have a new defense minister. He is taking a very deliberate approach to this problem. And what you have asked for in the NDAA is exactly the tool that I would have wanted to help them get to where they need to be. I think this is very important, and I look forward to reading both the Chairman and Senator Menendez's bill as well, which unfortunately I have not yet seen.

Senator PORTMAN. Great. Well, thank you.

The Ukraine Security Partnership Act is what it is called, and I think it is good because it standardizes the amount of security assistance that we have in a multiyear strategy. But I think that is important for long-term planning, I think you would agree, in dealing with the Ukrainian military. That is something that would be helpful to them.

One thing I will tell you in response to our legislation, we had a member of the Russian State Duma Committee—the chairman actually—say that Russia may now officially start supplying arms to the Donbas separatists. I thought that was kind of ironic since it seems to me it is pretty clear they have been doing that.

But can you comment on that?

Mr. DAYTON. Yes. I saw this comment by Mr. Kalashnikov. I will tell you it is really rich. Look, the Russians have about 2,300 people in the eastern provinces of Ukraine currently. They have given them more than 400 tanks, 700 field artillery pieces, mortars, drones, air defense artillery, small arms, crew-served weapons. This is ridiculous. Yes, sure, as if they are not involved.

You know, before the conflict started, these people had nothing, and the Ukrainian military had it all. And right now, this is a pretty formidable force that is facing the Ukrainian military, and they are, indeed, led and accompanied by Russian active duty troops.

Senator PORTMAN. Well, thank you for that. Having visited the contact line—as you know, I have been out there—it is a hot war and there are Ukrainians who are dying defending their country. And therefore, I am pleased to see that again the NDAA not only has that report, but also we provide through that the largest amount of lethal defensive aid the United States has yet provided.

So I appreciate you and my colleagues on this committee in a bipartisan way supporting that.

Mr. Burrier, can I ask you a quick question? First of all, I do think you are uniquely qualified for this position, having worked to help transition OPIC into the DFC.

My question to you has to do with what should the DFC be doing going forward. It has recently come into the spotlight because in order to help bring back domestic manufacturing capability in response to COVID-19, the President invoked the Defense Production Act to delegate loan authority under sections 302 and 303 of the act to the CEO of the DFC. This will allow the DFC to make loans targeted at reshoring domestic supply chain manufacturing of

PPE, something we all want to see. But because the DFC works now exclusively internationally, it seems a surprising move. And I understand the DFC has a lot of experience going into emerging markets and managing large investments.

That said, I am interested in your opinion as to why the DFC was chosen for this mission over other agencies that do operate in the United States with similar authorities.

Mr. BURRIER. Sure. No. Thank you, Senator, very much for the question.

As you noted, the President signed an executive order in May that married DFC's financing skills with the DPA lending authority with a focus on COVID-19 recovery and relevant domestic supply chains, which we all want to see bolstered. I think it is a sign of the unprecedented time that we are in that the President took such a step.

It is a time-limited 2-year authority. I feel very comforted by the fact and want to share with the committee that we have done a lot of work with DOD to wall that off so that these Defense Production Act loans are done under that authority, under DOD resources and do not impact the resources of DFC's core international mission. So our \$60 billion for DFC is reserved for the international development mission. Our appropriations are reserved for our staff. And the DPA loans will be done under the DOD resources.

In regards to my role, if confirmed, as you pointed out, that executive order has placed that authority into the CEO. I have been nominated to be the Deputy CEO—my background is in foreign policy and development. And so, if confirmed, the CEO has asked me to make sure that my focus is going to be on the international mission to ensure that we are laser focused on that because the challenges in the developing world are just coming at us so hard. We are not going to take our eye off that ball.

Senator PORTMAN. Well, I appreciate that, and I am sure the chairman and others do as well. As an original cosponsor of the BUILD Act and someone who supported the DFC enterprise, changing our approach and consolidating and trying to be able to compete with China and others, we do not want you to be taken away from your statutory mission to invest abroad. So I appreciate that commitment.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Portman.

Senator Shaheen, you are up next. I do not see your picture, but they appear to indicate you are with us. Am I right or am I wrong?

Senator SHAHEEN. You are correct. And hopefully, you will see me—

The CHAIRMAN. There you are.

Senator SHAHEEN. Well, thank you, Mr. Chairman.

And thank you to all of the nominees this morning for your willingness to come before the committee and testify and to consider being nominated for these roles.

I want to start with you, General Dayton. And I am sorry if you have answered this question because I was not able to get on the hearing until a few minutes ago.

But Kurt Volker, before he became President Trump's envoy in 2017, observed that the Minsk agreements were—and I quote—not

a solution but a problem as they essentially legitimized the Russian invasion of Ukraine. We know that this has been the underpinning of U.S. foreign policy in Ukraine to support the Minsk agreements. But since it has been 6 years, we have seen no progress, and in fact, what we have seen, as you pointed out so correctly, is the continued support that Russia gives to fighters in the Donbas. They are really directing that effort and the equipment and everything.

Should we consider trying to come up with a different agreement to address what is happening in Ukraine? One of the examples that I think is so telling is that the Kremlin issued up to 1 million Russian passports to Ukrainians in the last year. So do we think that it would make sense for us to play a role in trying to negotiate a new agreement to address what is happening in Ukraine in the Donbas?

Mr. DAYTON. It is a great question. And yes, it is not going well. As you probably know, the Ukrainians just put in their previous president, Mr. Kravchuck, to be the leader of their delegation now in negotiations. One gets the impression this could go on indefinitely and that the Russians are playing rope-a-dope with everybody as we go along.

Should the United States get involved? I do not know. I would have to examine that problem a lot more. Right now, the Ukrainians, under President Zelenskyy, think that they are in a fairly good place because they are not going to give into the Russians on territorial integrity issues or even special status for the Donbas.

But, you know, we have got our hands full in a lot of places. I would like to give it a shot myself first before I were able to give you a more coherent answer.

Senator SHAHEEN. Well, thanks. I appreciate that. I remember when the Minsk Agreement was being negotiated, that there was a lot of opposition from the Germans and from the Europeans basically to the United States providing more weapons to the Ukrainians to fight back against the Russians and a real ownership of that agreement in a way that they do not seem to continue to have. And so I do not know if you have been able to talk to anyone in the European community about Ukraine and whether they think it is time to look at trying to negotiate a new effort to end the fighting there and to address Russia's interventions.

Mr. DAYTON. I do talk to Europeans about this. As you know, I am resident here in Germany. Germany, Lithuania, and the United Kingdom are members of the group that I work with advising the defense minister. They all believe that we are doing the right thing. They all support the U.S. arming of the Ukrainians and trying to revamp their defense sector. They think this all makes a lot of sense.

The real question is politically where are these countries. And so far the European Union countries have been pretty steadfast in sanctions against Russia, and they have had plenty of opportunity to walk away and they have not done so.

So I think, like I said, I would like to take a good hard look at this, if I am confirmed, consult with the embassy experts that know about this, consult with the ambassadors of the countries that are involved in the Normandy process and take it from there.

I would add one other thing. I know that Secretary Pompeo, in front of this committee last week, suggested that it is a good time to kind of reactivate the former Kurt Volker position. I strongly agree with that. I think we could use the help.

Senator SHAHEEN. That makes sense to me as well, and I look forward to hearing your assessment once you have been on the job for a while and see if you think there are other things we could do to address what is happening there in terms of the fighting.

My next question is for Ms. Fisher. And like others, I certainly share the enthusiasm that we are now sending an Ambassador to Belarus for the first time since 2008. And I know that there are some actions that Belarus has taken which have meant that we feel like it is appropriate now to send an Ambassador back to the country.

But I want to follow up a little bit on Senator Cardin's question. As you look at the steps that Belarus would need to take in order for more robust engagement, what kinds of things do you want to see from Belarus in order to begin to see more openings for democratic initiative, more opportunity to engage with the rest of Europe and move away from Russia?

Ms. FISHER. Thank you, Senator Shaheen. I really appreciate the question.

In my view, there are a couple of elements of this, but it starts with Sunday. It starts with the elections on Sunday and not taking steps backward from the modest progress we have seen in recent years in terms of the climate for the political opposition and independent civil society.

The first component to ensuring that we can continue to grow this relationship is that we not see steps backward in the conduct of this presidential election.

Beyond that, I think it is incredibly important that we consult with our allies and our partners in the West, in Europe about where there are opportunities for us to continue to help Belarus build confidence that there is room, that there is space in Belarus for opposition voices, for civil society. Fundamentally I think the tenets of the Belarus Democracy Act, the requirements that are laid out in it, and what we are trying to get beyond is basically to ensure that there is space, to ensure there is space for more than one voice in this country. And it is important to me to understand the dynamics on the ground and what are the pieces. As we think about sequencing, as we think about the concrete steps, I do not want to sort of prejudge what that looks like from here at this point. But I will tell you I see this committee, I see the members, the staff as important partners in how we gauge our process going forward.

There is opportunity for us in Belarus. There is no question about it. And moving beyond the idea that this is a country that is looking only at one other capital or perhaps two other capitals is absolutely essential as we think about security in Europe in my mind. But we do not do that absent our own values and our own national interests.

Senator SHAHEEN. So I know that they are still in the middle of the pandemic in Europe as well, but will there be any independent monitors at the election this weekend?

Ms. FISHER. Unfortunately, the OSCE will not be on the ground nor will the Council of Europe. I do not know that I can say there will be none. Our embassy will have a limited number of teams. We have a limited presence on the ground. We will have folks observing on Sunday. There are already members of our team who are observing the early voting period, which has already started. But that is different from the fulsome observation effort.

So I think it will be quite difficult to draw conclusions absent those key information points, those key data points, which we generally look to to help inform our judgments about the conduct of elections.

Senator SHAHEEN. What about any civil society monitors?

Ms. FISHER. There has been a very interesting—I would like to characterize it perhaps as a grassroots sort of movement for individuals to report on what they are seeing in polling stations. There has been a reaction from the central election commission whether or not that is allowed. The way that precincts are being set up is a little different from how it was in the past. There has been a proposal for individual voters to record what they see in polling stations or even potentially their votes, and that is certainly not accepted by the central election commission and the authorities.

So as we think about the pre-election environment, we are also looking at—campaign rallies are authorized. They require permission. The cancellation, the late-breaking cancellation, of previously approved events is something that we do not need people taking photographs in precincts to understand those [inaudible]. So it is a part of the overall picture of the conduct of these elections.

Senator SHAHEEN. Thank you.

Mr. Chairman, I do not know how much time I still have.

The CHAIRMAN. Well, Senator, the chairman has been very generous with the time. You owe me some time right now, but these are important noms. We have people that are going to important places. So feel free.

Senator SHAHEEN. Well, thank you. I do have a couple more questions for Ms. Barber.

Ms. Barber, if confirmed, part of your role will be to represent the United States at forums, including the Commission on the Status of Women which functions under the Economic and Social Council at the U.N. Unfortunately, last year, the U.S. delegation is reported to have pushed for the removal of term “gender” in the final document outlining the priorities of the commission for the year.

Now, if confirmed, will you prioritize women’s rights at the U.N., and will you work to reassert the role of the U.S. in promoting and protecting women’s rights around the world?

Ms. BARBER. Yes, absolutely, Senator.

Senator SHAHEEN. And can you also talk about how you might use the position at the U.N. to do that, the kinds of actions that you would like to see happen to support the rights and empowerment of women around the world?

Ms. BARBER. Yes. Senator, thank you for this question because the empowerment of women and girls is critical, and I believe that it is important that we unlock the potential there.

There already exists many affiliates and U.N. agencies like the U.N. Commission on the Status of Women that you mentioned and then even within this administration here in the United States, WGDP and other organizations that are really coming together and doing a whole-of-government approach towards seeing to it that we empower women.

And so, if confirmed, I will work and build on that momentum that already exists and add my voice and energy to that.

Senator SHAHEEN. Well, thank you. We also have legislation that is before the committee right now that will encourage economic empowerment of women, and I am hopeful that we can move that legislation. Thank you very much.

The CHAIRMAN. Are you done, Senator Shaheen? I guess so.

I have Chris Murphy. I do not see his picture but I see he is entered. Chris, are you there? Senator Murphy?

Senator MURPHY. I am. Can you see me?

The CHAIRMAN. I cannot see you. There is a button on your computer that you can get your grandkids to push for you.

[Laughter.]

Senator MURPHY. I should be here.

The CHAIRMAN. You are on now.

Senator MURPHY. All right, great. Thank you very much, Mr. Chairman.

And thank you to all of our witnesses for your willingness to serve.

Just one very quick comment before I ask a few questions, and that is to Mr. Burrier. Thank you for your willingness to serve in an agency that we have given a wide-ranging mission to. I would agree with Senator Portman's concerns about the additional responsibilities that have been given to DFC. But I would note that amongst the countries that the DFC is involved in today is Lebanon, and our heart breaks for the explosion that has killed untold numbers of Lebanese. But I think it is a country now that DFC can double down on. There are some investments there that I think will be very, very important to the rebuilding and the economic stabilization of that nation. And so I just make that editorial comment at the beginning.

My questions, though, are for General Dayton. And I want to build upon the line of inquiry from Senator Menendez. I understand your answer to his specific question about whether or not you would meet with Rudy Giuliani. Your answer is that you would be open to meeting with any U.S. citizen. But I think the reason Senator Menendez asked this is that Rudy Giuliani was not in Ukraine as a private U.S. citizen. He was there representing the campaign interests of the President of the United States.

And so let me maybe ask the same question but more generally. Do you think it is appropriate for the Ambassador to Ukraine to be meeting with representatives of the President's reelection effort or the President's opponent's election efforts particularly months prior to an election?

Mr. DAYTON. Senator, the answer to that is the greatest strategic asset to Ukraine right now is the bilateral and bipartisan support that they enjoy from the

U.S. Congress. And as Ambassador, I would do my utmost to protect that bipartisan support and look at any requests for audiences and all that with a very critical eye because I believe that is the real jewel in the crown for Ukraine right now is bipartisan support for the country.

Senator MURPHY. So I approached this hearing very much like Senator Portman. I was enthusiastic about your nomination. You seemed to be the perfect person to fit the bill at this moment. But I will admit to being a little concerned about your inability to answer these questions directly.

Let me ask again. Do you think it is appropriate for the U.S. Ambassador to Ukraine to be meeting with representatives of either Joe Biden's election campaign or the President's reelection campaign within 100 days of a presidential election?

Mr. DAYTON. Well, Senator, I am not quite sure what you are looking for. First of all, it would depend on what their agenda is. And I think that is something that I simply would have to find out. If they are there for very partisan purposes, of course not. It is not something the U.S. Ambassador should be advancing the interests of either of the parties just before a presidential election.

I would note that I do not think Mr. Giuliani ever met with the U.S. Ambassador. As a matter of fact, the concern was that he did not.

Senator MURPHY. That is a slightly more direct answer, but I think it was a pretty easy one, a lay-up in my mind.

Let me ask you a policy question. We have talked a lot about military aid, and I am a sponsor of the legislation that has been referred to several times. At the same time, I do not see Putin's aims as marching an army into Kyiv. Putin is trying to economically and politically break the country. And I fear that we have had a myopia in that we have sort of, I think, seen our role far too often in providing military support rather than political and economic support.

Do you agree with me that Putin's real aim ultimately here is not to march an army across eastern Ukraine? It is to try to create enough political and economic instability such that a government is installed in Kyiv that is once again friendly to his interests, like the Yanukovich Government was. And if that is the case, is it not just as important, if not more important, for us to be supplying economic and political and anti-corruption aid to Ukraine, as it is for us to be supplying security assistance?

Mr. DAYTON. I think you are right, Senator. And I do think the security assistance is important. But you are right. Putin's goal is to destabilize this country, and why fight if he can destabilize the country without fighting? And yes, economic and other kind of assistance is very important, but it needs to be tied to genuine reform on the Ukrainian side as well because all the assistance in the world not tied to reform probably does not do much good either.

Senator MURPHY. And lastly, General Dayton, as you mentioned, you are an expert not only in Ukraine but on Germany and U.S.-German relations. The President of the United States has said that Germany has done nothing for Ukraine. Do you agree with that statement?

Mr. DAYTON. I would tell you that the United States is overwhelmingly the supporter of Ukraine in most ways.

I work with a German colleague on my Defense Reform Advisory Board. He would be the first to admit to you that Germany is doing some things primarily in the area of medical assistance and how you build hospitals and things like that. But I guess in my view Germany could do more and perhaps will do more.

Senator MURPHY. Germany in fact has a sizable humanitarian commitment to Ukraine and a sizable democracy and governance commitment to Ukraine. Correct?

Mr. DAYTON. They do.

Senator MURPHY. So it is not true that Germany is doing nothing to help Ukraine.

Mr. DAYTON. Well, that is correct, Senator. I do not think I said that. I said I would like to see Germany do more. Little Lithuania does more for Ukraine, frankly, in my perspective than most countries.

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

The CHAIRMAN. Thank you, Senator Murphy. I appreciate that.

Just looking at the computer here, I think the only ones left are Senator Menendez and I. And before I turn back to Senator Menendez for some additional questions, are there any other members of the committee that are on that—

Mr. DUTTON. Senator Kaine is on.

The CHAIRMAN. Okay. I did not see that. Senator Kaine, where are you? Oh, there you are. Senator Kaine, the floor is yours. We have a very strict 5-minute rule here.

Senator Kaine. I have been seeing how unstrict it has been.

The CHAIRMAN. Nuts. I was hoping you were not watching. Go ahead, Senator Kaine.

[Laughter.]

Senator Kaine. Many of my questions have been answered. I want to ask Alex Wong, if I could.

Mr. Wong, I really want to focus on the job that you are currently in because your work on the North Korea desk I think is important work, and I would sort of like to get a status update from you about what we might expect and how the committee can be helpful.

I have appreciated, when Steve Biegun has come to the committee, that he is pretty candid about efforts, but he does not oversell results. If there are not results, he does not try to convince us that there are. And this seems to be a very difficult problem, and I put that on North Korea's shoulders not on the administration's shoulders. I think we are making a lot of efforts, but as of yet, I have not really seen anything that I would consider a result to celebrate.

But share with me, if you will—we had a hearing yesterday about Venezuela. And I think a number of us—we are trying a lot of things, but we are not seeing the result that we liked. Just as we tried a lot of things in Syria, we did not see the result there that we liked.

The current dynamic with North Korea now testing out apparently, according to recent news, very small warheads, miniaturized warheads, they are moving forward at a rapid pace, and we have

not yet come up with the strategies in tandem with others to stop them.

Is there any reason that members of the committee should feel optimistic about that something is around the corner that might change the equation, or are we seeing a North Korea that is just dead set on doing what they want and there is little that the U.S. can do to alter their calculation?

Mr. WONG. Senator, thank you for the question and also thank you for your continued engagement, as well as your colleagues on this committee on this vital issue.

You are right. We have not yet, as is obvious, reached a final and fully verified denuclearization of North Korea, which is the objective of the President's policy and of these negotiations.

It is a difficult problem set. You mentioned these news reports of—the term is—miniaturization of warheads. That report—that is a U.N. POE report or a report on that report. That is not public yet. I have not had a chance to fully review it. But here is what we know.

For years, North Korea has been pursuing nuclear weapons. It has been pursuing missile technology to threaten the region, around the world, and to threaten the United States of America. But that is why it is so important for us to have the policy and strategy that we do. As you know, the strategy starts with an unprecedented international pressure campaign, one that arose from work at the U.N. Security Council but also from your committee and the broad not just sanctions but diplomatic isolation and overall cooperation with partners around the world to pressure North Korea, to show that there are costs for them departing from the international consensus on nonproliferation, but also to use those sanctions and that pressure to channel them into negotiations on a road map that will implement the complete denuclearization that Chairman Kim committed to President Trump.

Now, we are over 2 years on from the Singapore Summit. The good thing about the summit, the good thing about the work we have done at the leader level is that we have something we have not had before, which is leader level commitment to complete denuclearization of North Korea.

But I will be the first to tell you that we have not yet done the working level negotiations, the hard working negotiations that we need to do to develop the road map to realize that objective. What I will say is the U.S. is ready. You have been in discussions with Deputy Biegun, Special Representative Biegun, on this. We have a strong team here, an interagency team ready to negotiate, but we need to continue on the strategy, continue on the pressure, continue to galvanize the world behind the consensus strategy of using pressure again to channel North Korea into productive negotiations.

Senator KAINE. Mr. Wong, one more question to show my chairman that I am going to stick in my 5 minutes, and this will be my last question. And that is, to what extent do we still believe that an ultimate positive resolution of this set will involve significant involvement by China and how is the current U.S.-China friction making that necessary involvement, if you think that it is a necessary element, more complicated?

Mr. WONG. Senator, thank you for the question.

China does have a role to play here. And we have, obviously, a very complicated relationship across the board with China right now.

But one thing that they have consistently said to us is that they see North Korea as an area upon which we can build cooperation or continue to cooperate. Now, that is a good sentiment. That is a good message, and I do believe we have overlapping interests with China on the peninsula, perhaps not identical interests but overlapping interests. So we can grow that. But that takes work. That takes diplomacy and communication. And that does take real action and commitment from the China.

Now, you remember in 2017 at the U.N., China did come aboard with unprecedented sanctions and they have done a lot to implement those sanctions as far as taking down the two-way trade to really extremely low levels with North Korea.

But there continues to be more work that China can do, particularly on sanctions enforcement. And this is a continued conversation that we have with the Chinese that Deputy Secretary Biegun has specifically held with the Chinese. They can do more, but we need to keep the lines of communication open. We will not always agree but we should continue to communicate, continue to work together because again we do have overlapping interests on the peninsula.

Senator KAINE. Mr. Wong, thank you.

Mr. Chair, I cede back.

The CHAIRMAN. Thank you, Senator Kaine. That was an important line of inquiry, and I appreciate you doing that.

Besides myself and Senator Menendez, are there any other members of the committee on the call?

[No response.]

The CHAIRMAN. If not, Senator Menendez, I will recognize you again.

Senator MENENDEZ. Thank you, Mr. Chairman.

Let me go back to General Dayton. General Dayton, just so I understand, is it your view that, if confirmed, your responsibility as the U.S. Ambassador is to not only report and share information with the executive branch but also Congress?

Mr. DAYTON. Of course, Senator. I do believe that.

And let me clarify something for both you and Senator Murphy, if I may.

The questions originally came in about Mr. Giuliani, and I would like to put Mr. Giuliani off to the side for a second.

If I as the U.S. Ambassador in Kyiv have any indication that there is any kind of election interference going on using Ukraine as a lever to do that, I would, of course, report that directly to this committee. I think you have a right to know that. I think I have an obligation to report that to you.

I hope I did not make it unclear. What I was trying to say was that if somebody wants to see me, I will critically assess, but as far as the responsibilities of this committee, in a case like that, I agree with you on that.

Senator MENENDEZ. Well, I appreciate that additional clarification. It is very helpful.

Let me ask you this on two substantive questions. If Congress was to pass additional legislation to increase security assistance for Ukraine, what sectors of the Ukrainian security forces would you propose be strengthened?

Mr. DAYTON. It is a great question, Senator. We are already working on it. The answer is the navy, and the answer is the air force. Those are the two sectors that need the most work. And we are already working on that. Largely through the generosity of your committee and the

U.S. Senate, the Ukrainians have the ability now to deal with some of the things in coastal control, maritime domain awareness, that are very, very important. And as I said earlier, the Black Sea in my view will become an increasingly important area for all of us to be looking at strategically.

Senator MENENDEZ. Okay.

And finally, it is a developing democracy, and there remain significant reform challenges. If confirmed, what would be your priorities on reform and your plan to see them come to fruition?

Mr. DAYTON. I would tell you that it is probably what I would call rule of law and the judiciary. You are right. It is an emerging democracy. It is not there yet. It is working very hard. I get a lot of young Ukrainians here at the Marshall Center who are very idealistic, working in these areas of countering corruption and countering the old ways, and they tell me almost to a person that it is the judiciary that is the problem, that they can come up with cases to put before the judiciary and the cases are either dismissed or they are delayed for so long that they are no longer meaningful. This is an area that I think is very, very important, and it will be probably my number one priority, if I were confirmed.

Senator MENENDEZ. Well, thank you very much for those answers.

Ms. BARBER, let me go back to you. On the issue of women's rights and empowerment, can you provide us with your understanding of whether women can meaningfully participate [inaudible] if they are not able to have autonomous control of their own bodies supported by comprehensive access to sexual and reproductive health?

Ms. BARBER. Senator, I will say that the United States has historically and continues to be the largest contributor for programs that help women and children, the health and wellness of women. And I believe that we continue to support women's health.

Senator MENENDEZ. Okay. You are a very capable attorney from what I am told. Let me repeat my question.

On this issue of women's rights and empowerment, the question goes to can a woman from your perspective as someone who is going to be at ECOSOC and be involved with these issues—can they meaningfully participate in the economy if they are not able to have autonomous control of their own bodies supported by comprehensive access to sexual and reproductive health? Yes, no?

Ms. BARBER. Senator, I would say that it is a difficult question to answer, but I believe that we need to help women find ways to meaningfully participate in their economies. And I think that they can. But I think in some countries, they need help. And if con-

firmed, I look forward to adding my voice to the United States' efforts that already exist to helping women.

Senator MENENDEZ. Well, I appreciate that. But here is the problem. You know, you are going to be in a position in which the issues that I have just raised with you are going to be a significant part of your portfolio. You may want to skirt them with me. You may not want to offend somebody who maybe has been part of your nominating process, but you will be representing the totality of the United States of America. And our law has been very clear in this regard. Our pursuits, our engagement has been very clear in this regard. So you leave me unnerved by your answer.

Let me ask you this. Will you commit to complying with the Siljander Amendment prohibition on lobbying for or against abortions in multilateral forums? I cannot hear you. Can you put your microphone on?

Ms. BARBER. Yes, Senator.

Senator MENENDEZ. Thank you. All right.

Let me turn to Mr. Wong. Mr. Wong, over the past several years, the U.S. has taken actions that have downgraded its engagement with a number of critical U.N. bodies and programs. It has racked up nearly \$1 billion in arrears on its U.N. peacekeeping dues, withdrawn from the Human Rights Council, withheld funding from the U.N. Human Rights, abrogated its participation in other U.N. institutions and initiatives, including the Paris Agreement, most recently submitted paperwork to withdraw the United States from the World Health Organization in the midst of the global pandemic. So as someone who is being nominated to participate in probably the premier multilateral forum, do you agree with these decisions to withdraw from key multilateral bodies at a time in which the world faces enormous global issues?

Mr. WONG. Senator, thank you for the question.

Let me just start by saying I think the U.N. is a vital institution. I think the U.N. system, largely due to U.S. leadership and U.S. funding over the decades, has developed a number of institutions to benefit not just U.S. interests but to support the U.N. Charter. I am mainly speaking of peacekeeping operations, World Food Program, UNICEF, counterterrorism bodies, the whole phalanx of bodies that we support, and we continue to lead and are the number one funder of.

Now, you talked about withdrawal from certain organizations. I do think when there is an organization that does not abide by the U.N. Charter, which does not live up—where reform or the path to reform is not available with continued U.S. participation, withdrawal should be considered because it is a strong incentive for reform to get those bodies up to again fulfilling the principles in their missions, as well as the U.N. Charter.

But putting aside withdrawal, which is a decision not to be taken lightly, we do need concerted diplomacy, concerted U.S. leadership to galvanize our likemindedness to blunt damaging initiatives, but also to reform and keep these organizations honest to the U.N. Charter.

Senator MENENDEZ. Well, let me just take your explanation to [inaudible] United Nations.

Mr. WONG. Sir, thank you for your question.

I do not think that is the case with the grand majority of organizations that we support. Again, I do think the U.N. system is a vital institution that fulfills not just our interests but again the interests of our friends and allies and the interests of people around the world. That is in the U.N. Charter. So I do not think we are there with the grand majority of organizations.

But we will continue to do the work to ensure that the organizations across the U.N. system, but particularly in my portfolio in the security space, in the peacekeeping space, that those do remain faithful to the charter and those do advance global interests and do not compromise the principles that all countries signed up to when they signed up for the U.N. Charter.

Senator MENENDEZ. Well, I worry that when we recede, China accedes and ultimately fills in the space and seeks to mold the institution in its own desire. And so it is a real concern as we move forward.

But let me talk about peacekeeping since you just raised it, not particularly in your portfolio. Do you agree that peacekeeping operations are an important example of burden sharing by countries across the globe?

Mr. WONG. I do agree with that, sir.

Senator MENENDEZ. And if confirmed, will you work to ensure that peacekeeping operations continue to primarily feature in the UN's efforts to mitigate conflict?

Mr. WONG. I do, sir.

Senator MENENDEZ. But what happens when we promote those views, which I agree with you on—I agree with your answers—particularly to our allies when we fail to honor our financial commitments to missions that we ourselves have voted for on the Security Council?

Mr. WONG. Senator, thank you for the question.

I agree with you that peacekeeping operations have to be appropriately funded so they can complete their missions. They need to be effective to create stability in terms of security so we can hand it off to have ultimate political stability in these hotspots around the world.

Now, you have mentioned arrears. You have mentioned funding. I do want to note the United States remains by far the number one funder of peacekeeping operations around the world, but we do abide by the policy and I think a legislative policy that we should not fund more than one-quarter, or 25 percent, of the budget. I think our assessment, if my numbers are correct, is around 27.8 or 28 percent. So we are falling short of that. That is because of I think a very reasonable policy. We supply one-quarter of these funds. We do think other countries should step up. There are 193 member states of the United Nations. We do take on a lot of the burden because we are the world's leader. We are the world's only super power, but I think 25 percent is a reasonable number.

But, look, I look forward, if I am to be confirmed, sir, on engaging on this issue and continuing the consultation with you and your office, as well as this committee, on this important issue.

Senator MENENDEZ. I just think I have a real concern when we at the Security Council vote for peacekeeping operations and then we fall in arrears of our commitment. So even if we are the largest,

then if we think that a peacekeeping operation is in the national interests of the United States, then we have to see that its mission can be achieved. So I appreciate your global answer, but this is going to be a continuing issue as to how we cast our vote and then how we ultimately deal with the mission itself in terms of its funding.

Let me finally turn to Mr. Burrier and our nominee for Belarus. Mr. Burrier, do you believe it is appropriate for the DFC to be undertaking domestic supply chain interests?

Mr. BURRIER. Senator, as you know, the President signed an executive order to give us that limited 2-year authority. I am comforted by the fact that we have structured that so that that authority is going to take place under the Defense Production Act and not compete with the resources for the DFC and our international mission, which I am committed to.

Senator MENENDEZ. Yes. Well, when I helped create the DFC, I can tell you it is not what I was supportive of creating to do. The DFC has an international development role. And I do not expect—not only was it not in its mandate, I do not expect that the staff and resources that are going to be used take away from the congressionally mandated mission. And so I am seriously concerned about that.

I am also concerned—you know, I successfully fought to include OPIC's environmental and social policy statement, to transfer it to the DFC. I need to understand how the DFC published a new ESPS that looks very different from the ESPS that section 606 of the BUILD Act was supposed to transfer. I need you to explain how these changes were made without violating section 606. And I do not have anything against nuclear power. It exists in New Jersey. But I am very skeptical of DFC's new policy to consider proposals to build nuclear power plants in developing countries regarding security, environmental concerns, long-term debt management, constraints at nuclear plants would be crippling to many developing countries. So explain to me what you all did as it relates to that provision and does not violate what the law actually says.

Mr. BURRIER. Yes. No. Thank you very much, Senator. And I worked with your staff on that provision. Section 1466 of the BUILD Act did transfer OPIC's environmental policy to the DFC.

Since that time, we did voluntarily notice for a period of public comment a proposed change to OPIC's nuclear policy. That was a voluntary effort on our end. We thought that it made sense that since the BUILD Act was part of modernizing our development finance capabilities, to see if it made sense to take a fresh look at that policy. We heard from many members of the committee, got a lot of support for that change to allow us to consider nuclear projects.

But I want to assure you that that does not change the countries that we would operate in or our developmental mandate. We believe strongly that energy is a key driver of economic development and see a role for the modern, small-medium reactors that are coming on line in the future and want to work closely with the committee as that policy develops to ensure that you have the information you need.

Senator MENENDEZ. Well, if you are confirmed—we will follow up with the agency no matter what, but if you are confirmed, I definitely want to follow up with you to make sure that what was the law maintains not only in its actions, but then its spirit as well.

And finally, if I may, Mr. Chairman, Ms. Fisher, allow me to ask you. We rejoice in seeing the movement that Belarus is taking, but the President of Belarus may be moving away from Moscow, but he is clearly not moving towards democracy.

Do you agree with the principles that were laid out in the Belarus Democracy Act?

Ms. FISHER. Yes, sir, I do.

Senator MENENDEZ. How should the United States approach the issues of sanctions with respect to Belarus?

Ms. FISHER. Senator, I would urge that we approach them carefully. I would not support any hasty judgments to move on sanctions. I think they were put in place for specific concrete reasons. In the absence of progress in those areas, we should, I would suggest, consult very carefully between the administration and this committee, as to our assessments and our judgments, progress that we may or may not see with regard to those sanctions.

Senator MENENDEZ. Let me phrase it this way. Do you agree with the current posture where sanctions are suspended but could snap back in the event of a regime crackdown?

Ms. FISHER. I think that the suspension of those sanctions has been a very useful tool in this moment. And I do believe that they are a very valuable tool for us, should we see steps backwards. It is very hard for me to predict when, if, what are the precise conditions under which we would do that, particularly given how challenging it will be to understand conditions on the ground in the coming days and weeks with the lack of observer missions, the limited number of people who will be observing these elections. But the suspension is a very useful tool for us. Yes, sir.

Senator MENENDEZ. And finally, how do you intend to engage, if you are confirmed, with the Belarusian Government on issues like more competitive democratic elections and ending politically motivated detentions? What specific actions do you think we should prioritize and respond to each of those problems?

Ms. FISHER. I think, sir, my own experience in this part of the world tells me the most important thing we do is we have an honest and a direct conversation with a range of authorities. In Belarus, there is one person whose opinion matters most, but helping to build confidence to make progress in these areas and seeing this as a step that helps ensure Belarus' sovereignty and independence I think is an effort that takes time and it takes repeated engagement and conversations. I think the importance of a message that is unified from Washington—and I think out of Washington we have spoken very clearly I think with one voice, and that has been very useful. The statement from Senators Rubio and Cardin and Durbin on the conduct of the elections, in addition to Secretary Pompeo's statement, in addition to what our embassy in Minsk just put out, that is incredibly important as Belarus makes a calculation about its own standing.

Belarus has been very clear that they are seeking further engagement with the West. It is very clear how many strings are at-

tached to Moscow's engagement in Belarus. It is also clear the high costs of doing business with [inaudible]. But for us in the West and not just the United States, but for us in the West, seeing Belarus make progress in these areas is absolutely essential.

The CHAIRMAN. Well, thank you.

Mr. Chairman, you have been true to your word. You have been very generous with the time. I appreciate it, considering the size of the panel.

The CHAIRMAN. Thank you, Senator.

I want to comment just very briefly on your conversation with Mr. Burrier regarding the mission of the DFC and the way they are operating that. I think Mr. Burrier laid out really clearly—and I sincerely appreciate your concerns regarding the issues you raised. You know, the DFC's job is clearly spelled out.

There is nothing more important to development than electricity and energy. Right now, in my home State, the Idaho National Laboratory, which was the birthplace of nuclear power in the world, has built 52 different reactors. They are now in the process of building what they call the SMR, the small modular reactor. And even before that one is done, they have moved to the micro reactor that is actually portable. It is on a trailer. These things are going to be absolutely critical to development in difficult parts of the world.

So I applaud what DFC is doing in that regard, and I am not by that challenging your concerns about that. I think they are concerns that should be considered, but as we move forward, I think we all need to join together, particularly when we have the ability to do 123 agreements that hopefully will spread the use of electricity around the world and do it where we do not get proliferation. And we are the vendor instead of countries and vendors who do not care about nuclear [inaudible].

So those are just a few remarks that I have, but in no way do I demean your thoughts regarding the operation of the DFC. So thank you, Senator Menendez.

So with that, we are going to end the hearing, and thanks to our nominees. There is certainly some real talent here. And especially thanks to your families who will share in sacrifices that you make. We truly appreciate them. I want to extend our appreciation for that.

For the committee, the record will remain open until the close of business tomorrow, and any questions that are asked, we would appreciate that those of you who are nominees get back very quickly, as quickly as possible.

Thank you and thanks to all for participation in the hearing.

With that, the hearing is adjourned.

[Whereupon, at 11:16 a.m., the hearing was adjourned.]

Additional Material Submitted for the Record

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO EDWARD A. BURRIER BY SENATOR ROBERT MENENDEZ

Defense Production Act

Question. The President's delegation of Defense Production Act authority to the DFC is unrelated to the DFC's mission as established by the BUILD Act.

Answer. While I have not been involved in the efforts surrounding DPA, I have worked with the agency to supply the answers below. If confirmed, my focus will be on DFC's core international development mission.

Question. Do you believe that the DFC was created to help support or bolster domestic supply chains?

Answer. DFC has decades of experience and institutional expertise in lending. This experience and expertise is now being applied to domestic projects for a time-limited period to assist DoD in standing up an important loan program and help the country respond to and recover from the COVID-19 health crisis.

Question. How does the DPA delegation of authorities advance the DFC's purpose and mission, according to Sec. 1412(b) of the BUILD Act to mobilize and facilitate the participation of private sector capital and skills in the economic development of less developed countries ... and countries in transition from nonmarket to market economies?

Answer. The DPA authority delegated to the CEO of the DFC operates in accordance with the purpose and mission of the DPA statute.

Question. What steps have been or will be taken to ensure that the activities under the DPA do not distract DFC from its core mission and to minimize the burden on DFC's staff?

Answer. DFC entered into a Memorandum of Agreement (MOA) with DoD (which is publicly available at www.dfc.gov/dpa) to ensure all costs associated with implementing the DPA program are paid for by the DPA Fund. Time-limited staff to work on the DPA program are being hired so that DFC staff stay focused on the DFC mission. Staff is also working with DoD to assist them in developing expertise and capabilities to potentially operate a DPA loan program.

Question. Will the DPA funds the DFC is managing also cover salaries, overhead, and other operational expenses incurred by the DFC in executing the authorities the President is delegating to the DFC under the DPA?

Answer. Yes.

Question. The DFC's first announced DPA loan is to improve domestic supply of pharmaceutical ingredients. Does this loan support activities or improve capacity to prevent the current spread of COVID-19?

Answer. The project referenced is not yet a completed loan. The announcement was of a Letter of Interest following the successful completion of the initial screening phase. On Friday, August 7, 2020, it was publicly announced the loan application is not proceeding at this time.

Question. Is stopping (slowing) the spread of COVID-19, and preventing new infections of COVID-19 the top public health priority in the fight against this pandemic?

Answer. Yes.

Question. What deals, either domestically under the delegated authorities of the DPA or in the DFC's regular international work, is the DFC pursuing to combat the spread of COVID-19 and reduce COVID-19?

Answer. Under the DPA authority, the agency is pursuing multiple projects in the pharmaceutical, vaccine, PPE, and testing space. Internationally, DFC is working to identify innovative investments that will strengthen health systems in less developed countries. Such interventions might include financing innovative healthcare delivery models, digital health solutions, medical services, and manufacturing supply chain and distribution. DFC will seek to invest both in the near term for COVID-19 response, as well as to help address pressing long-term health challenges in the developing world.

Question. DFC has invited companies to apply for financing under the Defense Production Act for projects supporting domestic production of drugs, personal protec-

tive equipment and other medical supplies such as vaccines or virus testing materials. How many companies have applied for financing?

Answer. Fifty-four applications for DPA financing have been received.

Kodak

Question. The DFC recently announced its first Defense Production Act loan: \$765 million to Kodak for production of pharmaceutical ingredients.

Answer. On Friday, August 7, 2020, it was publicly announced the loan application is not proceeding at this time.

Question. Why was the first announced loan under DPA authority for a project that will not directly contribute to the nation's COVID-19 response?

Answer. The project referenced is not an approved loan. The announcement was of a Letter of Interest following an initial screening phase. On Friday, August 7, 2020, it was publicly announced the loan application is not proceeding at this time.

Question. Does DFC plan to use its DPA authorities for projects that will directly contribute to the nation's COVID-19 response?

Answer. Yes.

Question. What steps were involved in DFC's "initial screening" process of Kodak?

Answer. The initial screening of Kodak followed the same steps as all other projects have or will follow. The DPA team conducted pre-application calls with the company to discuss the potential project (some applications are submitted directly without any pre-application calls, but the many if not most applications are preceded by pre-application, (or "pre-screening") calls). Kodak then submitted an application. A DPA loan officer was assigned to the application and developed a screening memo that was shared with interagency colleagues at DoD and HHS. Agencies then provided due diligence questions to the loan officer to be answered by the applicant, which was completed. The loan officer then came to tentative agreement on specific terms in a non-binding term sheet with the applicant. Following the term sheet negotiations, the LOI was signed.

Question. What will DFC's "standard due diligence" of Kodak, yet to be conducted, consist of?¹

Answer. Standard due diligence for the Kodak project would be the same as any other project, including approval by the DPA credit committee, and legal, environmental, and other credit due diligence. This would include independent appraisal of collateral, Know Your Customer checks, independent validation of financial projections, and agreement of a final finance agreement including performance benchmarks among other conditions precedent to funds disbursement.

Question. Which other companies did DFC consider for the purposes of this loan?

Answer. Consideration of Kodak for DPA financing did not come at the expense of other companies. The DPA team is actively working with multiple other pharmaceutical companies, both pre and post application.

Question. Which other companies submitted proposals for financing to meet similar purposes of this loan?

Answer. The answer to these questions would disclose very sensitive business confidential and company strategy information and would jeopardize the DPA program's ability to obtain this necessary information on which the agency relies in evaluating loans under this program.

Question. Did Kodak attempt to obtain financing from the private sector before approaching DFC for the loan?

Answer. Eligibility for a DPA loan is dependent on an applicant not being able to raise capital from private sources on reasonable terms. Over the life of the loan origination process, DPA will continually attempt to work with an applicant on potential additional sources of financing.

Question. If yes, why did it not secure that financing? If no, why did it not try the private sector first?

Answer. Eligibility for a DPA loan is dependent on an applicant not being able to raise capital from private sources on reasonable terms. Over the life of the loan

¹ <https://www.dfc.gov/media/press-releases/dfc-sign-letter-interest-investment-kodaks-expansion-pharmaceuticals>

origination process, DFC will continually attempt to work with an applicant on potential additional sources of financing.

Question. How long will it take Kodak to repurpose its manufacturing lines and begin production of the proposed pharmaceutical ingredients?

Answer. The answer to this question would disclose very sensitive business confidential and company business strategy information and would jeopardize the DPA program's ability to obtain this necessary information on which staff relies in evaluating loans under this program.

Question. How much expansion will be needed and how much of those costs will this loan cover?

Answer. The answer to this question would disclose very sensitive business confidential and company business strategy information and would jeopardize the DPA program's ability to obtain this necessary information on which staff relies in evaluating loans under this program.

Question. Peter Navarro has stated that the federal government will purchase some of Kodak's production for a federal stockpile: how much of which ingredients is the federal government planning to purchase, and at what price?²

Answer. The answer to this question would disclose very sensitive business confidential and company business strategy information and would jeopardize the DPA program's ability to obtain this necessary information on which staff relies in evaluating loans under this program.

Question. DFC CEO Boehler and Peter Navarro have stated that "some drug companies plan to sign advance purchase orders for Kodak's ingredients."³ Which companies have made these plans, how much of which ingredients do they plan to purchase, and at what price?

Answer. The answer to this question would disclose very sensitive business confidential and company business strategy information and would jeopardize the DPA program's ability to obtain this necessary information on which staff relies in evaluating loans under this program.

Question. Has DFC implemented any additional safeguards to prevent potential insider trading related to DPA deals it is negotiating?

Answer. With respect to federal employees they must adhere to their ethics obligations and have been reminded of that obligation. In the context of a loan program, we cannot control private sector party actions, but we can ultimately decide to not proceed with a loan.

Environment and Social Policy and Procedures

Question. The Saving Provisions in Section 606(a)(2) of the BUILD Act (Section 1466(a)(2) of the BUILD Act as engrossed in the 2018 FAA reauthorization Act) states: that "Completed Administrative actions" of OPIC, which included "policies," would not be affected by the establishment of the DFC and would be transferred. With respect to the Environmental and Social Policy Statement (ESPS) specifically, on May 8, 2018 OPIC's Deputy General Counsel, Cameron Alfred, assured Congress that "As a result of the inclusion of the word 'policies' in Section 606(a)(2) of the BUILD Act, OPIC's ESPS will be transferred to the U.S. Development Finance Corporation. Accordingly, this will become the policy of the DFC."

In January, the DFC published a new Environment and Social Policy and Procedures that makes many changes to the language of the 2017 ESPS.

- What procedures did the DFC follow to develop and complete the changes and differences between the 2020 ESPP and the 2017 ESPS?

Answer. Senior career staff were tasked with publishing the 2020 ESPP for DFC. They were advised to make no substantive changes. Substantive changes are ones that would have enlarged or contracted the scope of transactions the DFC could support. In their professional opinion from a legal perspective and environmental perspective, all changes made to the document were non substantive in nature and would not result in the DFC being able to support a transaction that was prohibited when the agency was OPIC. We have provided a track change version of the ESPP to your staff and the change your staff believed was optically substantive was restored to the previous language.

² <https://www.washingtonpost.com/business/2020/07/28/kodak-produce-pharmaceutical-ingredients/>

³ <https://www.washingtonpost.com/business/2020/07/28/kodak-produce-pharmaceutical-ingredients/>

Question. Did the DFC include congressional consultations and public and stakeholder engagements on the development and completing of the changes and differences between the 2017 ESPS and the 2020 ESPP?

Answer. The intent was to only make non substantive updates to grammar, references and clarity without changes to policy. If the agency planned to make substantive changes it would have consulted with the relevant committees.

Question. What obligation do you believe Sec. 1466(a)(2) places upon the DFC to follow robust consultative procedures when changing (OPIC's) transferred policies?

Answer. There was no intent to change policies therefore we did not engage in consultation. Had the agency planned to make substantive changes, the agency would have consulted.

Question. It is my understanding that the DFC contends the changes to the ESPP were made as part of a broad housekeeping exercise and will not result in a substantive change in the execution of DFC policy. While it may be true that some of the changes are merely housekeeping matters, there are several changes that could be interpreted a significant policy changes.

- Will you commit to explaining how the differences between the 2017 ESPS and 2020 ESPP do not constitute substantive policy changes?

Answer. Yes, staff who made the changes and who implement the policies remain available to discuss.

Question. If the DFC in fact does not intend to interpret the differences in language between the 2017 ESPS and the 2020 ESPP, are you to reverting/restoring changed language that give me cause for concern?

Answer. DFC restored the language on August 4, 2020.

Question. I do not contend that Sec. 1466(a)(2) of the BUILD Act obligates the DFC to maintain the 2017 ESPS in perpetuity. However, will you commit to me that you will conduct robust consultative processes, that include engagements with the Senate Foreign Relations Committee and non-governmental stakeholder organizations, when the DFC develops and proposes changes to the ESPS/ESPP?

Answer. As was evidenced by the way DFC conducted the proposed change to its nuclear policy, I support a consultative process whenever there is a substantive change that enlarges or contracts the scope of transactions DFC can support.

DFC's New Nuclear Policy

The DFC recently approved a new policy, which followed congressional consultation and public comment processes, to allow consideration of nuclear energy projects. I have no problem with nuclear power when it can be operated safely, securely, skillfully and provided affordably, as we do in New Jersey. I am less sure all of these essential criteria for successful nuclear power production is possible in much of the developing world.

Question. When considering loans and other supports for projects associated with nuclear power projects, will the DFC consider the following:

- How countries will responsibly manage, transport, store, and dispose of the nuclear waste generated?

Answer. Yes.

- What measures local operators will take to ensure the security of the nuclear power facilities to eliminate the risks of terrorist and insurgent attacks and other malevolent actors?

Answer. Yes.

- The capacity for countries and power providers to manage and operate these facilities over the long-term?

Answer. Yes.

- The long-term debt a country could be saddled with by operating a nuclear power plant?

Answer. Yes.

- Will the DFC seek assurances and require host countries and local proponents of nuclear projects to provide detailed plans for managing these risks?

Answer. Yes.

Question. The policy expressly aims to support "advanced small modular reactors".

- Are there any advanced small modular reactors in commercial operation?

Answer. To the best of my knowledge, no.

- When will advanced small modular reactors be ready for commercial deployment?

Answer. While estimates vary, DFC's policy change signals that its financing would be a possibility once this technology is safely available.

Overview of Expanded Development Mandate

Question. As you are aware, the United States International Development Finance Corporation (DFC) has additional legislative mandates, like women's economic empowerment, a focus on lower income countries, and a stronger development focus. Please describe how you plan to ensure these and other new mandates are successfully implemented throughout the DFC, especially in a flat funding environment?

Answer. If confirmed, I commit to working to ensure DFC fulfills its development mission. I will empower the Chief Development Officer, the office of Women's Economic Empowerment and prioritize projects in low-income and low-middle income countries. We have also taken other process changes to meet these mandates. For instance, the agency's new "Impact Quotient" helps to evaluate projects for their development impact and projects are actively viewed with an eye towards their impact on women. I am pleased to report that DFC's 2X Women's Initiative has catalyzed more than \$3 billion of investment in projects that meet the 2X criteria and has set ambitious targets for the future. Additionally, I actively supported the establishment of a new food security unit in cooperation with USAID and see the potential for other such initiatives.

Question. Do any of your plans require additional staff to ensure that the new DFC can successfully implement, monitor, and evaluate all the mandated areas?

Answer. If confirmed, I commit to working with the committee to ensure DFC has adequate resources to fulfill its development mission.

Question. How will you ensure that the DFC is prioritizing higher-impact investments that potentially incur higher risk and lower reward?

Answer. In general, BUILD Act envisions DFC as being more forward leaning than OPIC. It is important that DFC take higher risk with the understanding that the developmental outcomes we want to see materialize will only come if a project is financially viable. Thus, there needs to be a reasonable expectation of return and lower return is the return on investment to the DFC and is not no return to the project. The DFC balances those considerations in every private sector project it supports.

Question. How do you plan on managing and prioritizing limited resources while also maximizing the potential of the new DFC?

Answer. If confirmed, I commit to working with the committee to ensure DFC has adequate resources to fulfill its development mission.

Question. Will you commit to ensuring that Development outcomes drive the mission and agenda for the DFC?

Answer. Yes.

Question. How will you empower the Office of the Chief Development Officer?

Answer. I strongly support the BUILD Act's creation of the Chief Development Officer role at DFC. Earlier this year, we hired our first CDO, and if confirmed I will continue to support the office to ensure that the DFC advances developmental projects. In particular, I see a role for the CDO to help ensure we are prioritizing projects in low-income and lower-middle income countries; guiding our "Impact Quotient" development impact tool; solidifying interagency partnerships; convening and bringing new, non-traditional sources of capital and partnerships; and bolstering training for U.S. Government personnel in the field so DFC is a more readily available tool to advance U.S. development and foreign policy.

Economic State Craft

Question. I am increasingly concerned that the United States is not well-positioned to engage in economic statecraft for the twenty-first century, including promoting U.S. jobs, business and economic interests, engaging in development financing for infrastructure and other needs, including climate change-related resiliency, and setting standards for emergent technologies and the digital economy. Can you expand upon how you view your role and your institution's role, if you are confirmed, in helping to renew and replenish U.S. economic statecraft instruments?

Answer. We have a fundamentally different approach from the sort of economic diplomacy undertaken by authoritarian China. Rather than promoting quick-fix solutions that lead to shoddy projects or “debt trap” diplomacy, DFC will support investments that do not burden governments with debt they cannot afford, utilize local labor, are responsible and transparent, and respect a country’s sovereignty. A fundamental difference is that we are not competing with China on a government dollar for government dollar basis. Rather we are leveraging the power and ingenuity of the private sector to advance our interests. This will help drive economies in the developing world forward through investments that are built for the long haul. That’s the true alternative to authoritarian financing which can leave developing countries worse off. The flexibilities Congress provided DFC in the BUILD Act allow DFC to be more proactive and less reactionary than OPIC.

Question. Where do you see the biggest challenges? Biggest opportunities?

Answer. The lower the income of the country, the harder it is for the private sector to finance projects, which makes DFC’s role more critical and additional. Hidden subsidies provided by strategic competitors in the technology sector pose a challenge, as many times DFC financing cannot put competing technologies on equal footing.

Question. Have you considered developing an internal incentive structure to reward staff for positive development outcomes and the avoidance of negative environmental and social impacts?

Answer. If confirmed, I would be willing to explore such a structure, consistent with U.S. law.

Question. The (BUILD Act) places an increased emphasis on development outcomes and impact. How do you plan to help guide this cultural shift?

Answer. I have actively supported the Chief Development Officer, and if confirmed, I will continue to support the office to ensure that development is infused throughout the organization. For instance, the agency’s new “Impact Quotient” helps to evaluate projects for their development impact. Additionally, I actively supported the establishment of a new food security unit in cooperation with USAID.

Question. Have you considered developing an internal incentive structure to reward staff for positive development outcomes and the avoidance of negative environmental and social impacts?

Answer. If confirmed, I would be willing to explore such a structure, consistent with U.S. law.

Countering Chinese Development Influence

Question. The DFC is often cited as part of the administration’s response to China’s Belt and Road Initiative, but while the DFC can’t compete with China’s investments dollar for dollar, with the help of the DFC’s enhanced toolkit the U.S. will be better positioned to offer an alternative to China’s investment model—a key feature of which is opacity. Under provisions of the BUILD Act, the DFC will need to make public detailed project-level information, to the extent practical. Recognizing there are issues of commercial confidentiality to navigate, if confirmed, will you commit to working to ensure the DFC is best in class when it comes to DFI transparency?

Answer. Yes.

Question. Would that include considering publishing financial terms (even if on a time delay) or working with other DFIs to release anonymized contract data?

Answer. Certain financial terms are already published pursuant to current U.S. Law. The DFC is actively working with other DFIs on additional transparency, including anonymized data.

Equity Investment

Question. The BUILD Act granted the DFC limited equity authority, a key enhancement over its predecessor OPIC. How important is equity authority to achieving DFC’s goals? What barriers to you see to deploying equity?

Answer. Equity opens a new category of potential support that OPIC couldn’t access with debt alone. We will deploy equity—both into funds and directly—in highly developmental and highly strategic situations. Unlike debt, equity does not come with fixed principal and interest repayment requirements, so there could be companies or projects that are great investments with significant developmental and/or strategic impacts but the monetization of which is not completely predictable ahead of time, or where it makes sense to reinvest early profits rather than requiring them

to be paid to debt service. The use of equity is constrained by the amount of funds that are appropriated for such purpose.

Question. What can Congress do to ensure DFC has the tools it needs to fulfill its mandate?

Answer. If confirmed, I commit to working with the committee to ensure DFC has adequate resources to fulfill its development mission.

Transparency

Question. The DFC must comply with the transparency requirements of the Foreign Aid Transparency and Accountability Act (FATAA), as well as the BUILD Act. What do you think about the need to balance commercially sensitive information with the importance of transparency?

Answer. Transparency is a bedrock principle of the United States and is an important tool to ensuring taxpayer funds are spent prudently. However, government programs that deal with commercially sensitive information must balance this against disclosing information that can cause the private sector project competitive harm.

Question. Will you commit to hearing, and providing forums for engagement and discussion, from all stakeholders with concerns about projects the IDFC is considering—well before any decisions are made by the IDFC's board to approve or reject proposals?

Answer. Like OPIC, DFC continues to hear from stakeholders about projects it is considering.

Question. Will you commit to ensuring the DFC complies with the Sunshine Act?

Answer. DFC continues to take transparency steps that go beyond the requirements of the Sunshine Act.

Interagency Cooperation

Question. The committee sees the mission of the DFC is enhanced when aligned with other government agencies and allies. Would you support having officers from other agencies, like USAID, serve details at the DFC?

Answer. Yes.

Question. Will you empower, encourage and assist USAID to use tools, like the Development Credit Authority?

Answer. Yes.

Question. What are your thoughts regarding partnership with agencies such as USAID, State, and MCC as well as partnering with the investment organizations of allies such as the Japan Bank for International Cooperation or JBIC?

Answer. All of the trendlines point to the increased use of development finance. For the United States to continue to be a leader of international development, it is imperative that DFC work closely with its interagency partners such as USAID and MCC. For example, I actively supported the establishment of a new food security unit in cooperation with USAID. Similarly, increased cooperation with peer development finance organizations of allies allows us to share burden and also sends an important diplomatic signal.

Women's Equality

Question. How do you plan to ensure that the DFC fully meets its mandate in the Better Utilization of Investments Leading to Development Act of 2018 (BUILD Act) [Sec. 1451 (f)] to "prioritize the reduction of gender gaps and maximize development impact by working to improve women's economic opportunities" throughout the DFC's entire portfolio?

Answer. I will continue to work to strengthen the Office of Women's Economic Empowerment. Like OPIC's before it, DFC's 2X Women's Initiative continues to set the standard for what it means to invest in women. All development indicators note the benefits of this approach as women invest back into their families and communities, resulting in more stable societies that are in United States' interests. DFC's focus on women and its benefits has been infused across the organization and I commit to continuing to bolster that work. For instance, projects are actively viewed with an eye towards their impact on women. I am pleased to report that DFC's 2X Women's Initiative has catalyzed more than \$3 billion of investment in projects that meet the 2X criteria and has set ambitious targets for the future.

Question. Monitoring, evaluation, and learning are important components to ensuring that the DFC's projects positively impact on both men and women. The

BUILD Act [Sec. 1443 (b) (3) (A)], calls for gender-disaggregated data. How do you plan to ensure that this is consistently done across the entire portfolio and for all indicators or metrics that are about people?

Answer. The agency is working diligently to implement the various reporting requirements of the BUILD Act. DFC's new approach is more comprehensive and focused on understanding the different groups of individuals that our projects effect developmentally. Data on individuals is broken down by the following groups: Women, youth, low income, poor, ethnic minority (in that nation), disability status, rural vs urban, and other marginalized/disadvantaged groups. From an employment perspective, DFC will be collecting data on professional skill level, position level, and gender. This will be required for all projects in our portfolio.

Question. Ensuring women have equal access to economic opportunities has the potential to increase women's rights, power, autonomy, and also can be a catalyst for growth and change around the world. However, there can also be unintended negative consequences for women both in the community and the workplace. The DFC currently has a process to identify environmental and social risk and create plans to mitigate them, do you plan to build on and enhance these efforts to ensure that the wide array of risks to women are comprehensively included and monitored throughout the full project cycle and across the entire portfolio?

Answer. The DFC's current process of identifying environmental and social risk includes analysis for gender disaggregated impacts both in the affected groups and the workplace. For the workplace, DFC's requirements include the need for human resources policies to include those on sexual harassment and equal opportunity and the dissemination of clear wage requirements and rights of the workforce. Depending on the project-specific vulnerability analysis of the workforce, appropriate policies and procedures to manage vulnerable groups are also required, as well as monitoring by a third-party when deemed necessary. DFC also requires internal, workforce grievance mechanism that have appropriate channels for the specifics of their workforce, including an anonymous channel.

There are many good practices still being developed in this space and our social risk analysts keep abreast with their U.S. Government colleagues as well as fellow Development Finance Institution practitioners. As we expand our team, we seek out candidates with specific experience in gender analysis and risk.

Development Impact, Monitoring, Evaluation, and Reporting

Question. The BUILD Act includes an increase in the legislative mandates around monitoring, evaluation, and reporting, in part due to the conforming amendment that applies the Foreign Aid Transparency and Accountability Act of 2015 (FATAA) [Title IV Sec. 1470-1] to the DFC. When evaluating projects, how important do you think it is for the agency to assess if the project holistically improved the lives of people in the intended communities, versus focusing on specific project outcomes like increasing the number of jobs available?

Answer. Comprehensive monitoring involves subjective as well as objective measures such as the number of jobs specifically because no one indicator alone can adequately evaluate a project.

Question. Due to the FATAA conforming amendment, 50% of the DFC's portfolio will now have to be evaluated. What are your plans to ensure this mandate is met? Will this go beyond having partners fill out a self-report questionnaire?

Answer. DFC is currently assessing remote monitoring to adapt to the new environment of less travel due to the COVID-19 pandemic. We are exploring various possibilities for environmental and social monitoring and DFC staff have participated in several virtual environmental and social monitoring visits of our existing portfolio. Currently, this process entails virtual meetings with the relevant staff that are managing the environmental and social performance of our projects and reviewing records and other evidences for said performance. We are in the process of contracting with an independent environmental and social consultancy to provide support with virtual monitoring.

Question. If yes, can you briefly explain what an evaluation at the DFC would look like under your leadership, and how lessons learned would be incorporated into future planning?

Answer. We are currently reassessing monitoring remotely to adapt to the new environment brought about by the COVID-19 pandemic. Future planning is always shaped by lessons learned.

DFC has an expanded focus on Monitoring and Evaluation (M&E) and our strategy is inextricably linked to the implementation of the new performance measure-

ment system, Impact Quotient (IQ), as DFC will use IQ to monitor and evaluate projects it supports.

In addition, DFC has updated its Development Outcome Survey and is leveraging technology solutions to better position itself to monitor more projects than ever before. By collecting better baseline data from the onset of project financing to a more robust annual data collection strategy, the monitoring and evaluation program allows DFC to strategically send staff to the projects that needs it most.

As it did under OPIC, DFC will continue to conduct evaluations for policy compliance. By using the information gathered through IQ at the initial assessment of the project, analysts will perform site visits and assess if projects are achieving, or are on track to achieve, the development objectives initially identified.

In addition to DFC's new M&E approach, DFC is leveraging the global presence of the U.S. Government through our sister agencies, namely the Department of State and USAID. This cooperation allows DFC access to local expertise and relationships with the host country, bolstering our ability to monitor and evaluate more projects and better inform our peers of the work the agency is conducting around the world.

If confirmed, I would ensure that DFC continues to refine its portfolio evaluation based on lessons learned as we continue to collect data. Periodic evaluation will allow for incorporation of those lessons for future projects.

Question. What are the plans to address the gaps in monitoring practices identified in recent reports from USAID's Office of Inspector General (2019 and 2015), OPIC's Office of Accountability (2018), and the Government Accountability Office (2015)?

Answer. The recommendations of those offices have been implemented.

Climate Change

Question. Do you believe the scientific consensus that human activity from burning fossil fuels is driving global warming?

Answer. Yes.

Question. The DFC recently approved the Vaca Muerta fracking project in Argentina. The extraction and combustion of natural gas poses a myriad of problems for clean air, clean water, wildlife, landscapes and ecosystems, human health, local communities, and our climate. Leaking natural gas infrastructure is a source of unaccounted climate and toxic air emissions which creates emissions hotspots, negative human health impacts, and environmental justice issues. How can the DFC justify funding a project like Vaca Muerta if it poses a threat to the public health of local communities and lock them into decades of climate-warming pollution?

Answer. If confirmed, I'll work to ensure that projects that have significant environmental impacts continue to go through detailed analysis and assessment by the career professionals at DFC.

Question. The DFC continues to weigh approval of the Kosovo e Re lignite burner coal fired power plant. The World Bank has rejected financing for this project nearly a year ago out due to the greenhouse gas emissions that would be associated with this project. Do you believe that this project is the best and most responsible energy option for the U.S. to support in Kosovo?

Answer. In March, the potential sponsor of this project withdrew its support for the project.

Question. Do you believe that the World Bank made a prudent decision to withdraw from the Kosovo e Re lignite burner project as explained in the following statement made by Jim Yong Kim last year: "We are required by our by-laws to go with the lowest cost option and renewables have now come below the cost of coal. So without question, we are not going to [support the plant]."

Answer. I do not have the ability to comment on the World Bank's decision-making process. But if confirmed, I commit to ensuring that DFC's decision-making for energy projects appropriately weighs all relevant aspects, including development impact, footprint on the local community, a country's energy strategy, financial viability, and foreign policy considerations.

Question. Will you commit to working with the Kosovo Government, and investors interested in pursuing renewable and low carbon energy solutions for Kosovo, as means of finding energy alternatives to the Kosovo e Re lignite burner project?

Answer. Yes.

Oversight

Question. If confirmed, do you commit that under your leadership, the DFC will not take any action to support, promote, or participate in any matters related to, or that could be perceived as benefitting, the Trump Organization?

Answer. If confirmed, I commit to ensuring that all projects are evaluated by DFC career officials without regard to political affiliation. I commit to comply with all relevant Federal ethics laws, regulations and rules, and to raise concerns that I may have through appropriate channels.

Question. Do you commit to make clear to all employees that retaliation of any kind has no place in federal government and will not be tolerated under your leadership? Do you agree that anyone found to have engaged in retaliation should be held fully accountable, up to and including losing their job?

Answer. I agree that the federal government should not employ prohibited personnel practices. If confirmed, I will maintain a policy to ensure that prohibited personnel practices will not take place.

Question. What will you do to promote, mentor, and support your staff that come from diverse backgrounds and underrepresented groups at the DFC?

Answer. DFC is committed to building and advancing a diverse and inclusive organization in which the knowledge, skills and abilities of all employees are fully utilized to achieve the DFC's mission. Our workforce models diversity and professionalism in its daily interactions with individuals across the U.S. and around the world. By reflecting America's diversity, DFC can provide a wide range of ideas and innovative solutions, making us a stronger, more effective organization. If confirmed, I will make it a priority to continue to maintain a diverse, high-performing workforce.

Question. Do you commit to respond promptly to all requests for information by members of this committee?

Answer. If confirmed, I commit to respond promptly to all requests for information by members of this committee, in accordance with U.S. laws and regulations.

Question. Do you commit to appear before this committee upon request?

Answer. If confirmed, I commit to appear before this committee upon request, in accordance with U.S. laws and regulations.

Question. Do you commit to report to appropriate authorities, including the FBI, Inspector General, and Congress, any credible allegations of foreign interference in U.S. elections?

Answer. Yes.

Question. Do you commit to report to appropriate authorities, including the FBI, Inspector General, and Congress, any attempts by foreign or private individuals to improperly influence U.S. foreign policy, particularly if you have reason to believe those efforts are adverse to U.S. interests?

Answer. Yes.

Question. If you become aware of any suspected waste, fraud, or abuse in the DFC, do you commit to report it to the Inspector General or other appropriate channels?

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

Democracy/Human Rights

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

Answer. As the Deputy Staff Director for the House Foreign Affairs Committee, I actively supported the committee's work advancing human rights, most notably in Africa and North Korea. Specifically, I am most proud of my efforts which contributed to arms dealer Viktor Bout being extradited from Thailand to the United States to face justice. Bout was responsible for fueling barbaric wars across the African continent that left a brutal wake of human rights abuses. I also actively worked on Congressman Royce's effort to ensure that Liberian dictator Charles Taylor saw justice in front of the Special Court for Sierra Leone for his brutal crimes against humanity.

Question. What steps will you take—if confirmed—to support democracy? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. I believe that a flourishing private sector underpinned by transparency, rule of law, sanctity of contracts, and individual freedoms help drive democracy. These values are central to DFC's mission. If confirmed, I will work to ensure DFC continues to engage with countries and private sector actors who share these same values.

Answer. Authoritarian regimes largely do not share or honor these values. Developing countries often fall prey to "debt trap diplomacy" by such nations, which undermines their sovereignty and ties them to questionable actors. DFC offers an alternative to this authoritarian lending, which prizes a country's sovereignty, its people, transparency, and rule of law.

Question. If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society within host countries?

Answer. Yes.

Question. If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? Will you advocate for access and inclusivity for women, minorities and youth?

Answer. Yes.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO JOHN A. BURRIER BY SENATOR JOHN BARRASSO

Question. Do you support the International Development Finance Corporation financing coal, oil and natural gas projects?

Answer. Yes.

Question. Please list all of the current restrictions on financing of energy projects, including coal, oil and natural gas, at the International Development Finance Corporation.

Answer. The BUILD Act permits DFC to support financing of energy projects regardless of fuel source. Indeed, DFC recently changed a legacy OPIC-policy to permit consideration of nuclear energy projects.

Question. What is your strategy to eliminate all of the current restrictions on financing of coal, oil and gas projects at the International Development Finance Corporation?

Answer. The BUILD Act permits DFC to support financing of energy projects regardless of fuel source. Indeed, DFC recently changed a legacy OPIC-policy to permit consideration of nuclear energy projects.

Question. Please provide a list of the equity investments made by the International Development Finance Corporation under the new authority from the BUILD Act.

Answer. The following equity investments were approved by DFC's Board in June and notified to the committee:

EQUITY INVESTMENTS APPROVED BY DFC'S BOARD IN JUNE OF 2021

Africa Regional—AfricInvest; Equity (Finance and Insurance)	\$35,000,000
Southeast Asia—Asia Partners I, LP; Equity (Finance and Insurance)	\$25,000,000
Africa Regional—SPE; Equity (Finance and Insurance)	\$25,000,000
India—South Asia Growth Fund; Equity (Finance and Insurance)	\$30,000,000
India—Freshtohome; Equity (Finance and Insurance)	\$20,000,000
Mexico/LatAm—Alta Growth Capital Mexico Fund III; Equity (Finance and Insurance)	\$20,000,000

Question. What specific criteria is used by the International Development Finance Corporation to decide whether the United States should make an equity investment?

Answer. Each equity investment shall have a clearly defined development and foreign policy taking into account the following objectives:

- The support for the project would be more likely than not to substantially reduce or overcome the effect of an identified market failure in the country in which the project is carried out.
- The project would not have proceeded or would have been substantially delayed without the support.
- The support would meaningfully contribute to transforming local conditions to promote the development of markets.
- The support can be shown to be aligned with commercial partner incentives.
- The support can be shown to have significant developmental impact and will contribute to long-term commercial sustainability.
- The support furthers the policy of the United States described in 22 U.S.C. section 9611.

Question. With the increased risks and exposure of equity investments, what requirements are being put in place to ensure adequate oversight and risk management?

Answer. A variety of governance mechanisms are in place to guard against the increased risk of equity investments. By statute, DFC can only provide up to 30 percent of the aggregate amount of all equity investment made to an individual project and not more than 35 percent of DFC's aggregate portfolio exposure can be equity. Further, the use of equity is constrained by the amount of funds that are appropriated for such purpose. The Board must review and approve all support for projects involving equity. The Chief Risk Officer will review and assess equity portfolio risk, risk mitigation and diversification across sectors, geographies, sponsors, risk categories and report regularly to the Board. Every DFC transaction over \$10 million is notified to the committee.

Question. Do you believe the International Development Finance Corporation should provide equity investments in a foreign state-owned enterprise? If yes, under what circumstances?

Answer. DFC focuses on investments with private sector partners. DFC would only consider investments in foreign state-owned enterprises in highly developmental or highly strategic situations.

Question. Do you support the International Development Finance Corporation providing equity or investment financing to upper-middle income countries like Brazil, China, Mexico, Russia, and Turkey? If yes, under what circumstances?

Answer. DFC is permitted to support financing in upper-middle income countries and considers particularly if it would advance important objectives such as support

for U.S. businesses, women or strategic infrastructure. However, DFC does not invest in projects in Russia or China.

Question. What is the International Development Finance Corporation's strategy to counter China's Belt and Road Initiative?

Answer. We have a fundamentally different approach from the sort of economic diplomacy undertaken by authoritarian China. Rather than promoting quick-fix solutions that lead to shoddy projects or "debt trap" diplomacy, DFC will support investments that do not burden governments with debt they cannot afford, utilize local labor, are responsible and transparent, and respect a country's sovereignty. A fundamental difference is that we are not competing with China on a government dollar for government dollar basis. Rather we are leveraging the power, scale, and ingenuity of the private sector to advance our interests. This will help drive economies in the developing world forward through investments that are built for the long haul. That's the true alternative to authoritarian financing which can leave developing countries worse off. The flexibilities Congress provided DFC in the BUILD Act allow DFC to be more proactive and less reactionary than OPIC.

Question. In what ways is the portfolio of investment projects that the DFC supports similar to or different from that of OPIC, both in terms of location and sectors?

Answer. DFC prioritizes investments in low-income and lower-middle income countries and seeks to conduct at least 60 percent of its work in these markets. It is expected that the portfolio of DFC investments will change as a result of the COVID-19 pandemic. It is likely that DFC will increase its support to local financial institutions which can then on-lend to small and medium-sized enterprises as a means to continue to support these economies which are being profoundly impacted by the pandemic.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO EDWARD A. BURRIER BY SENATOR BENJAMIN L. CARDIN

Human Rights

Question. What are your most meaningful achievements to date in your career to promote human rights and democracy? What has been the impact of your actions?

Answer. As the Deputy Staff Director for the House Foreign Affairs Committee, I actively supported the committee's work advancing human rights, most notably in Africa and North Korea. Specifically, I am most proud of my efforts which contributed to arms dealer Viktor Bout being extradited from Thailand to the United States to face justice. Bout was responsible for fueling barbaric wars across the African continent that left a brutal wake of human rights abuses. I also actively worked on Congressman Royce's effort to ensure that Liberian dictator Charles Taylor saw justice in front of the Special Court for Sierra Leone for his brutal crimes against humanity.

Diversity

Question. Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor, and support your staff that come from diverse backgrounds and underrepresented groups?

Answer. I firmly agree with the premise of the question: diversity of background, experience, heritage, and viewpoint will ultimately deliver a more thoughtful, dynamic, and inclusive result. I am proud to work at an agency that values diversity. If confirmed, I commit to supporting the hiring and retention of staff from diverse backgrounds and underrepresented groups.

Question. What steps will you take to ensure each of the supervisors at U.S. International Development Finance Corporation are fostering an environment that is diverse and inclusive?

Answer. DFC is committed to building and advancing a diverse and inclusive organization in which the knowledge, skills and abilities of all employees are fully utilized to achieve the DFC's mission. Our workforce models diversity and professionalism in its daily interactions with individuals across the U.S. and around the world. By reflecting America's diversity, DFC can provide a wide range of ideas and innovative solutions, making us a stronger, more effective organization. In addition, DFC holds an Economic Dividends for Gender Equality (EDGE) certification to show our commitment to gender equality. EDGE is the leading global assessment method-

ology and business certification standard for gender equality. If confirmed, I will make it a priority to continue to maintain a diverse, high-performing workforce.

Conflicts of Interest

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

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

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

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

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

Answer. No.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO LTG KEITH W. DAYTON (USA, RET.) BY SENATOR JAMES E. RISCH

Question. Since the events of 2014, the U.S. and its allies in Europe have spent a huge amount of money to help Ukraine achieve its stated goals of reform in all sectors of governance and economy, including energy distribution, land reform, reaching development goals, and building a working health system. How well do you believe the U.S. and its partners have done in making sure that our monies are well spent and are achieving their goals? What more could we do?

Answer. U.S. assistance is helping Ukraine to: increase resiliency to Russian aggression and malign influence; combat corruption and advance justice reforms; enhance energy security; bolster civil society and create responsive, responsible government; support independent media; advance a more transparent pro-business, investment-friendly economic climate; stabilize its financial sector; overhaul state-owned enterprises; and advance Western health care models and fight disease. Enhanced support in these areas will further bolster the positive outcomes we are seeing this year.

For example, the High Anti-Corruption Court, a U.S. assistance beneficiary, just handed down its 13th conviction and fifth prison sentence in its first year of operation. U.S. technical assistance supported development of the National Bank of Ukraine's 2025 Strategy for Financial Sector Development which will help ensure Ukraine's financial stability, build the institutional capacity of financial regulators, and bolster consumer and investor rights protections. U.S. assistance to local credit unions in economically vulnerable Donetsk and Luhansk oblasts and the Azov region, all affected by Russian aggression, are making credit available to small businesses and producers in agriculture, beekeeping, and tourism.

Most recently, the United States' \$41 million investment in Ukraine's response to COVID-19 has: combatted COVID-19 disinformation by supporting Ukraine's public broadcaster in producing an award-winning documentary on frontline workers and providing factual, unbiased and trusted government information on COVID-19; maintained an operation of essential government social protection services during the COVID-related lockdown by developing necessary online tools; and supported a second phase of healthcare reform by providing technical, organizational, and legal assistance to the National Health Service of Ukraine.

Question. In what sectors should the U.S. concentrate its development dollars for the best outcomes?

Answer. Following the 2014 Revolution of Dignity, U.S. development assistance has supported ongoing reforms in the health, judicial, criminal justice, and energy sectors, creating opportunities for small and medium enterprises, strengthening independent media, and helping further Ukraine's Western integration. Judicial sector reform and anti-corruption programming is critical to support equal access for all Ukrainian citizens and equal treatment of U.S. investors. U.S. military assistance continues to enhance defensive capabilities for Ukraine to monitor and secure

its borders, deploy its forces more safely and effectively, and make progress toward NATO interoperability. U.S. humanitarian assistance will continue to provide life-sustaining aid, including emergency shelters, provision and distribution of relief commodities, children and elderly protection, psychosocial support, repair to water infrastructure, and livelihoods and business development support for internally displaced persons.

Reforms in Ukraine

Question. Last year, President Zelenskyy won in a landslide on a strong anti-corruption platform. After initially pushing through several important reforms, his administration has recently seemed to falter on his reform agenda. He reshuffled removed several ministers with strong anti-corruption credentials from his Cabinet, and the head of the National Bank of Ukraine resigned citing political pressure, to name two. As Ambassador, how will you keep up the pressure on Ukraine and the Zelenskyy administration to continue making his promised reforms? Will you work with European partners to coordinate our messaging to the Ukrainians on reforms?

Answer. Corruption remains one of the most significant obstacles to Ukraine achieving its Euro-Atlantic aspirations. It undermines confidence in Ukraine's institutions, deters investment and economic growth, hinders further integration with the West, and offers an avenue for malign influence by Russia and China. As Ambassador, if confirmed, I will work closely with Ukrainian officials, civil society in Ukraine, and my European counterparts to press Ukraine to move forward with the reforms necessary to strengthen its democracy and rule of law, and ensure the integrity of its institutions.

Question. In your opinion, what are the most critical reforms Ukraine needs to make in the near term? In the long term?

Answer. The independence and integrity of core institutions is essential for Ukraine's long-term stability and prosperity. Ukraine should take steps to ensure institutions like the National Bank of Ukraine and the country's justice sector institutions maintain their independence and integrity and resist political pressure. As Ambassador, if confirmed, I will also work with my Ukrainian counterparts to continue to build on the reforms made in the agricultural, banking, health, education, governance, judicial, law enforcement, and energy sectors.

Chinese Activities in Ukraine

Question. In your opinion, does the Government of Ukraine understand the potential consequences of Chinese investment and purchases?

Answer. As Ukraine's trade with China grows, it has become easier for China to use this as a lever to make investment deals look attractive to a country facing budgetary constraints. But let me be clear—these deals may look nice at a glance, but they are not good deals. They lead towards a path of isolation and exploitation. If confirmed, I can shine a light on these deals and make their true intentions clear. I know the defense industry, and I know China is hungry for Ukraine's hard-earned intellectual property, not creating Ukrainian jobs.

Question. If confirmed, how will you work with our European partners to encourage further Western investment into Ukraine, as a means to diversify its economy away from both China and Russia?

Answer. We have a wide range of programs that make it easier for Western companies to invest in Ukraine, and these programs are harmonized with our partners. But all of the support the West can offer means nothing if corruption keeps investors away. If confirmed, I will make it clear to vested interests that the only place for corruption in Ukraine is in the history books. Clear and coordinated action with our partners can make this happen. Taking corruption off the table will pave the way for a more dynamic, competitive economy that will attract the West and keep malign influences out. Reforms will accelerate, the economy will boom, and U.S. companies can help facilitate this growth.

Trade Issues

Question. Ukraine has a well-educated population, a Deep and Comprehensive Free Trade Area with the EU, and a plethora of fertile agriculture land, but its economy consistently and dramatically underperforms. What do you assess are the reasons for this underperformance? Are there certain Ukrainian industries that you see as ripe for growth? If so, as Ambassador, how would you encourage the building of trade ties between U.S. and Ukrainian businesses.

Answer. Ukraine is a bountiful country that has a lot of potential. We must help Ukraine unleash this potential. Years of entrenched corruption have afforded vested

interests a grip on the economy, media, and in some cases the political system. Each economic policy that would help the Ukrainian people suffers push back by the few that are pilfering Ukraine's vast resources. If confirmed, as Ambassador, I will support reforms that make Ukraine's economy more inclusive for Ukrainians and more attractive to investors. The Ukrainian people want sound economic policies to efficiently use their resources, and these policies would open up much stronger business ties. U.S. companies can help forge new energy links in Ukraine and work with its agricultural sector to feed millions of people throughout the world. Ukraine has a wealth of industrial capacity in its defense sector, and a growing information technology (IT) sector eager to do business with the West. I plan to encourage trade ties by increasing the protection and enforcement of intellectual property rights, rooting out corruption, and supporting the reform process.

Question. How will you work to encourage Ukraine to reform its remaining Soviet-era property rights regime to incentivize investment and entrepreneurship in Ukraine?

Answer. Ukraine has a skilled workforce and burgeoning cultural scene. If confirmed, I want to help these industries grow, but this will not happen without policies to support this growth. If Ukraine creates the right policies to utilize its wealth of human capital, I see potential for its IT sector to grow substantially. But the country needs to respect intellectual property rights to incentivize this growth. Systems must be put in place to ensure that developers and artists get their fair share. If Ukraine is willing to show respect for our intellectual property rights, not only will I help the country get it right, but I will show U.S. and Ukrainian companies alike all the new business opportunities this opens up.

Press Freedom

Question. Recently, Ukraine has seen an uptick in violence and threats against journalists and activists alike. Last week an anti-corruption campaigner's house was burned nearly to the ground. As ambassador, what would you do to stand up for those who uncover and expose the schemes that have held Ukraine back?

Answer. If confirmed as Ambassador, I will work closely with Ukrainian officials and civil society to promote democratic values and human rights. I am concerned by recent suspected attacks on, and intimidation of, civil society activists and journalists in Ukraine, and urge Ukrainian law enforcement to thoroughly investigate these incidents and ensure those responsible are held to account. In democratic societies, people should be able to voice their opinions without concern for their physical safety.

Question. What more should the U.S. Government should do more to support free media in Ukraine?

Answer. If confirmed as Ambassador to Ukraine, I would seek to leverage U.S. support for independent media programming with our partners in Europe and Eurasia to build resilience against Russian pressure and both locally and externally produced disinformation. The United States supports independent media in Ukraine through programming to improve the public's access to independent, reliable, and balanced information; improve media literacy; and to support networks of investigative journalists and independent media outlets, and I would continue to support this programming if confirmed as Ambassador.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO LTG KEITH W. DAYTON (USA, RET.) BY SENATOR ROBERT MENENDEZ

Question. Do you commit to reporting to the Senate Foreign Relations Committee if you or Embassy staff in Kyiv meet with Rudy Giuliani or his associates?

Answer. Yes, if confirmed, I am committed to engage with Congress and this committee on matters related to the U.S.-Ukraine relationship.

Question. Please reaffirm the commitment that you made during the hearing to report any information regarding foreign efforts to interfere in the 2020 election to the U.S. Committee on Foreign Relations.

Answer. I reaffirm the commitment, and if confirmed, I am committed to engage with Congress and this committee on matters related to the U.S.-Ukraine relationship, complying with all relevant federal ethics laws, regulations, and rules, and to raising any concerns that I may have through appropriate channels.

Question. If confirmed, would you advocate within the Department that all engagement with Congress be done without regard to political party? Would you advocate that any documents sent to the Congress regarding Ukraine policy be shared with this committee of jurisdiction on a bipartisan basis?

Answer. If confirmed, I am committed to engage with Congress and this committee on matters related to the U.S.-Ukraine relationship, without regard to political party.

Question. I was pleased to hear you highlight rule of law and the judiciary as priorities for reform in Ukraine in response to my question during your hearing. Along those lines, I am interested in your view of the needs around economic and corporate governance reform in Ukraine, which is necessary to tackle corruption and improve the rule of law. The IMF has given Ukraine several reform requirements, some of which it has fulfilled while others remain a work in progress:

- How do you assess Ukraine's progress on the IMF's reform requirements? In particular, how do you view its progress on the reform requirements in the natural gas sector?

Answer. Ukraine must continue on the path of good governance and economic reforms. Ukrainians have repeatedly demanded their institutions respond to citizens' needs over the demands of vested interests. The natural gas sector is no stranger to these challenges. Naftohaz, one of the largest state owned entities in Ukraine has shown us—and the IMF—what it is capable of with a modern management structure. Each state owned entity has a reservoir of potential once you drill past the vested interests, bring in experts, and operate them like a business. Reform in Ukraine comes in ebbs and flows. I see the momentum, I see the success stories, and I see where Ukraine can help its citizens by turning things around. Most importantly, if confirmed, I stand ready to work with the IMF, our allies, and all of the international financial institutions to help Ukraine where it needs it the most. I will remind Ukraine of why it cannot backslide, and remind it of the consequences of reverting to failed systems of corporate governance.

Question. If confirmed, do you commit that under your leadership, the U.S. Embassy will not take any action to support, promote, or participate in any matters related to, or that could be perceived as benefitting, the Trump Organization?

Answer. If confirmed, I and my team will be committed to advancing the United States' interests in Ukraine, in accordance with all U.S. laws and policies, including government ethics rules.

Question. Do you commit to make clear to all employees that retaliation of any kind has no place in federal government and will not be tolerated under your leadership? Do you agree that anyone found to have engaged in retaliation should be held fully accountable, up to and including losing their job?

Answer. Yes, I agree that the federal government should not employ prohibited personnel practices. I agree that anyone found to have engaged in unlawful retaliation should be subject to accountability and discipline in accordance with U.S. federal labor law and regulation.

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

Answer. I am committed to supporting the excellent work of our Foreign and Civil Service professionals, as well as locally employed staff, and I hope to have many opportunities at Embassy Kyiv to support a diverse and inclusive environment. I know from my 40 years of experience in uniform, and 10 years at the Marshall Center, that diversity is a source of strength and resilience for any institution. I will endeavor to build a team that is strong and united in its efforts to advance U.S. interests in Ukraine.

Question. Do you commit to respond promptly to all requests for information by members of this committee?

Answer. Yes, with the understanding that any such response would be organized through the Department of State's Bureau of Legislative Affairs and conducted in accordance with long-standing Department and Executive Branch practice.

Question. Do you commit to appear before this committee upon request?

Answer. Yes, with the understanding that any such appearance would be organized through the Department of State's Bureau of Legislative Affairs and conducted in accordance with long-standing Department and Executive Branch practice.

Question. Do you commit to report to appropriate authorities, including the FBI, Inspector General, and Congress, any credible allegations of foreign interference in U.S. elections?

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

Question. Do you commit to report to appropriate authorities, including the FBI, Inspector General, and Congress, any attempts by foreign or private individuals to improperly influence U.S. foreign policy, particularly if you have reason to believe those efforts are adverse to U.S. interests?

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

Question. If you become aware of any suspected waste, fraud, or abuse in the Department, do you commit to report it to the Inspector General or other appropriate channels?

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

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

Answer. I have spent the past 50 years supporting and defending the Constitution of the United States, and inherent in my oath to serve, I include in that support for democracy and human rights. In my several field artillery commands in Europe, my units partnered with the militaries of the former Soviet Union, and in that partnership I emphasized human rights and democracy, with lasting impact. As the U.S. Security Coordinator for Israel/Palestine from 2005-2010, I created a training and monitoring program for elements of the new Palestinian security forces that emphasized democracy and human rights. To this day, this program survives in close coordination with the Israeli Defense Forces. Finally, in the almost ten years I have been Director of the Marshall Center, I have instituted a variety of educational programs for more than 5,000 security personnel from 100 countries (to include 300 from Ukraine). Each program emphasizes the principles of human rights and democracy. Judging from the feedback we get from our participants when they return home, these programs have had an impact that directly benefits the United States.

Question. What issues are the most pressing challenges to democracy or democratic development in Ukraine? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. The continued influence of oligarchs and other vested interests on Ukrainian institutions, particularly in the justice sector and media, threatens progress in building institutions and implementing key political, economic, and governance reforms over the past six years. Ukraine has a vibrant civil society that works to hold government actors and powerful economic interests accountable, and we must continue to support these efforts and stakeholders who drive participatory and accountable governance.

Question. What steps will you take—if confirmed—to support democracy in Ukraine? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. If confirmed, as Ambassador, I will work closely with Ukrainian officials and civil society to promote democratic values and human rights. I will also urge the Ukrainian Government to continue to focus on the reforms necessary to ensure Ukraine's long-term development and overcome the problems of corruption and oligarchic capture.

Question. How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. The United States has long provided assistance to promote human rights, strengthen democracy, and support Ukraine's reform trajectory, and we will continue to do so. Building capable, trustworthy Ukrainian institutions that strengthen

rule of law, reduce corruption, increase government accountability, create jobs, and attract investment are key to ensuring Ukraine is able to achieve its Euro-Atlantic aspirations.

Question. If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Ukraine? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Yes, if confirmed, I will engage with civil society in Ukraine, amplifying their voices and calling out efforts to infringe on their rights.

Question. If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Yes, if confirmed, I will meet with representatives from across the political spectrum and will encourage parties to ensure their membership and representation in institutions reflects the diversity of Ukrainian society.

Question. Will you and your embassy team actively engage with Ukraine on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Ukraine?

Answer. Yes, I am committed to promoting media freedom in Ukraine and will meet with independent, local media outlets.

Question. Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. Yes. The United States is actively working with our Allies and partners in Europe to identify, recognize, and expose Russian disinformation and other malign influence tactics. We are committed to working with Ukrainian partners in government and civil society to increase media literacy programs that equip citizens with critical thinking skills to better identify disinformation and curb its spread. U.S. programming in Ukraine and elsewhere also helps to strengthen independent voices in the media sphere to build resilience against Russian pressure and disinformation.

Question. Will you and your embassy teams actively engage with Ukraine on the right of labor groups to organize, including for independent trade unions?

Answer. Yes, we will engage with Ukrainian officials and labor groups to promote the rights of labor groups to organize, including for independent trade unions.

Question. Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Ukraine, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and queer (LGBTQ) people face in Ukraine? What specifically will you commit to do to help LGBTQ people in Ukraine?

Answer. Yes, I commit to use my position to defend the human rights and dignity of all people in Ukraine, no matter their sexual orientation or gender identity. LGBTQ individuals in Ukraine continue to face societal discrimination and violence, preventing them from exercising their human rights. As Ambassador, if confirmed, I will work to elevate the voices of LGBTQ people and staunchly defend their rights.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO LTG KEITH W. DAYTON (USA RET.) BY SENATOR BENJAMIN L. CARDIN

Question. What are your most meaningful achievements to date in your career to promote human rights and democracy? What has been the impact of your actions?

Answer. As a general statement, my 50 years of faithful allegiance to the Constitution of the United States shows a career dedicated to the promotion of human rights and democracy. In particular, in my several command assignments in Europe, I had the opportunity to work with the new democracies that emerged from the fall of the Soviet Union, and advanced programs that have had a lasting impact on the new militaries of those countries. While serving as the U.S. Security Coordinator in Israel/Palestine from 2005-2010, I created and developed the Palestinian National

Security Forces and made sure they were well trained on human rights and democracy, a legacy which continues to this day. Finally, in the almost ten years I have been Director of the Marshall Center, I have instituted a variety of training programs for more than 5,000 security personnel from more than 100 countries, each of which emphasizes human rights and democracy. Judging from the results when our participants return home, we have had an impact that directly benefits the United States in these areas.

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

Answer. First and foremost, Russia's abuses in eastern Ukraine and Crimea, which include harassment, arrest, and abuse of civil society activists, independent journalists, and religious minorities, and severe restrictions on the fundamental freedoms of expression, association and assembly, and religion and belief, are deplorable and must end immediately. Other significant human rights concerns in Ukraine include: a lack of judicial and law enforcement integrity; impunity for police abuses and attacks on civil society activists, journalists, and minorities; and restrictions on media freedom. As Ambassador, if confirmed, I will work with Ukrainian officials and civil society to address these concerns and to hold Russia accountable for its aggressive actions in eastern Ukraine and Crimea.

Question. If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Ukraine in advancing human rights, civil society, and democracy in general?

Answer. Official corruption and the influence of oligarchs and other vested interests pose a significant threat to Ukraine's reform trajectory, and it undermines human rights because it weakens judicial independence, media freedom, and governance broadly. If confirmed, I am committed to working with Ukrainian officials and civil society to strengthen the resilience of the judiciary and other Ukrainian institutions to resist political pressure.

Question. Are you committed to meeting with human rights, civil society, and other non-governmental organizations in the U.S. and with local human rights NGOs in Ukraine? If confirmed, what steps will you take to pro-actively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Yes, I am committed to meeting with a wide range of stakeholders, including U.S. and Ukrainian civil society actors. I will also actively work to ensure our security assistance promotes human rights, including by supporting active implementation of the Leahy Law and by educating Ukrainian security sector officials on international standards for human rights.

Question. Will you and your embassy team actively engage with Ukraine to address cases of key political prisoners or persons otherwise unjustly targeted by Ukraine?

Answer. Yes, we will continue to engage on the cases of those who are the target of politically motivated prosecutions or who have been detained unjustly.

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

Answer. Yes, if confirmed, I will engage with a wide range of stakeholders, both in the Ukrainian Government and civil society, on issues related to the promotion of human rights and good governance.

Question. Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor, and support your staff that come from diverse backgrounds and underrepresented groups?

Answer. I hope to have many opportunities at Embassy Kyiv to support a diverse and inclusive environment. I know from my experience both in uniform and in the private sector that diversity is a source of strength and resilience for any institution. I will endeavor to build a team that is united in its efforts to advance U.S. interests in Ukraine.

Question. What steps will you take to ensure each of the supervisors at the Embassy in Ukraine are fostering an environment that is diverse and inclusive?

Answer. I have been a team builder for 50 years in the U.S. Army and most recently at the Marshall Center. I am committed to supporting the excellent work of our Foreign and Civil Service professionals, as well as locally employed staff, and I will have no tolerance for actions or attitudes that disrespect any of my colleagues.

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

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

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

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

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

Answer. My investment portfolio includes diversified mutual funds, which may hold interests in companies with a presence in Ukraine, but which are exempt from the conflict of interest laws. I also own stock in a few individual companies, some of which may have a presence in Ukraine. I am committed to following all applicable ethics laws and regulations and remaining vigilant with regard to my ethics obligations.

Question. How do you believe political corruption impacts democratic governance and the rule of law generally, and in Ukraine specifically?

Answer. Corruption has a clear impact on democratic governance and rule of law: it undermines confidence in Ukraine's institutions, deters investment and economic growth, hinders further integration with the West, and offers an avenue for malign influence by Russia and China. As Ambassador, if confirmed, I will work closely with Ukrainian officials and civil society to strengthen the rule of law and advance the reforms necessary to Ukraine achieving its Euro-Atlantic aspirations.

Question. What is your assessment of corruption trends in Ukraine and efforts to address and reduce it by that government?

Answer. Ukraine has enacted reforms in the agricultural, banking, health, education, governance, judicial, law enforcement, and energy sectors. By standing up anti-corruption institutions, implementing decentralization, and increasing transparency in government procurement, Ukraine has worked to make its institutions more resilient and its leaders more accountable.

These reforms are commendable, but Ukraine has more to do to cement progress, prevent backsliding, and reduce oligarchic influence, which remains significant. I remain concerned by the persistent efforts of corrupt interests to undermine progress on reforms, the continued culture of impunity for perpetrators, and the targeting of civil society actors whose work drives Ukraine forward. If confirmed as Ambassador, I will work closely with Ukrainian officials and civil society to address these challenges.

Question. If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Ukraine?

Answer. The United States works closely with Ukraine on a range of anticorruption and good governance programming, including programs that advance criminal justice sector reform, strengthen the rule of law, expand access to justice, and enhance civil society's capacity to hold government officials and powerful economic interests accountable. As Ambassador, if confirmed, I will strongly support these programs and advocate for the continued strength and independence of the institutions they assist.

Question. Are you aware of the ongoing debate in Ukraine concerning the rehabilitation of Ukrainian collaborators who fought alongside the Nazis during WWII? How do we ensure that the history of the Holocaust is not rewritten and distorted?

Answer. Like many other countries affected by the Holocaust, Ukraine must fully engage with its history surrounding World War II, including complicity of individuals in atrocities planned and carried out by Nazi Germany and collaborators who supported them, whether directly or indirectly.

This is not a problem unique to Ukraine—it is a challenge confronting many countries in Europe. I welcome President Zelenskyy’s support for honoring the victims of the Holocaust in Ukraine. Consistent with our advocacy of historically accurate Holocaust remembrance and research, the Department endorsed a statement issued by the International Holocaust Remembrance Alliance on July 7, 2020, that condemns the rehabilitation of those individuals who were complicit in Holocaust crimes, saying “failure to remember truthfully demeans the living and disrespects the dead.”

Question. The United States has a long history of supporting the preservation of heritage sites in Ukraine and the region. How can the U.S. Government and its citizens’ work together with the Ukrainian Government to better protect and preserve Jewish cemeteries, mass graves, and other heritage sites that are being desecrated by neglect, vandalism, or construction?

Answer. The State Department, including U.S. Embassy Kyiv, works closely with Jewish communities in Ukraine to ensure Jewish heritage sites throughout the country, including cemeteries, are preserved and protected. The Department communicates directly with the Ukrainian Government and municipalities on these matters and collaborates with the U.S. Commission for the Preservation of America’s Heritage Abroad on safeguarding Jewish cemeteries throughout the world.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO LTG KEITH W. DAYTON (USA RET.) BY SENATOR JOHN BARRASSO

Question. Is the Ukrainian Government fulfilling its International Monetary Fund reform requirements?

Answer. I think this is something the International Monetary Fund will have to decide, but I have to say Ukraine has come a long way since my first time in the country. Ukraine must continue on the path of implementing rule of law, good governance, and economic reforms that ensure the Government is accountable to its citizens.

Question. What is the status of Ukraine’s reforms to the natural gas sector? What steps have been achieved and what still needs to be completed?

Answer. Ukraine has made significant progress introducing market-oriented reforms to its energy sector and increasing transparency. State-owned gas and oil giant Naftohaz, once a drain on Ukraine’s budget, is now one of the largest contributors. Ukraine has also successfully unbundled its gas transit system operator from the rest of Naftohaz, moving closer to compliance with the EU’s third energy package, and thus to greater integration with Europe. Ukraine has also made progress diversifying its gas and nuclear fuel away from Russia. These wins culminated in the successful negotiation of a new five-year gas transit contract with Russia at the end of 2019, which preserves robust gas transit through Ukraine.

Question. What specific assistance is the United States currently providing Ukraine in the energy sector?

Answer. Our efforts to prevent malign Russian influence throughout Europe have shielded Ukraine’s energy sector from a multipronged attack against energy market dynamics. We have supported reforms at some of the largest entities in Ukraine’s energy sector, and helped Ukraine turn an aging state enterprise into a real success story. Through USAID, we are providing more than \$85 million to upgrade Ukraine’s energy production, governance, and transportation. We are providing Ukraine with the technical expertise it needs to liberalize its energy markets, and are exploring support for new infrastructure projects that will enhance energy security throughout the region. Our Department of Energy provides technical expertise to keep Ukrainian nuclear reactors safe. U.S. companies see the opportunity this assistance is creating, and are anxiously looking for new deals—from building renewable production centers to providing fuel for nuclear reactors and exporting U.S. produced gas.

Question. What additional assistance and guidance do you suggest the United States provide to support reforms in Ukraine?

Answer. The United States has long provided assistance to promote human rights, strengthen democracy, and support Ukraine’s reform trajectory, and we will continue to do so, working with both government institutions and civil society stakeholders. Building capable, trustworthy Ukrainian institutions that strengthen rule of law, reduce corruption, increase government accountability, create jobs, attract

investment, and have the trust of Ukraine's citizens are key to ensuring Ukraine is able to succeed as a country and achieve its Euro-Atlantic aspirations.

Question. What have been the main achievements and the remaining challenges for Ukraine in promoting good governance and anticorruption reforms?

Answer. Ukraine has enacted reforms in the agricultural, banking, health, education, governance, judicial, law enforcement, and energy sectors. By standing up anti-corruption institutions, implementing decentralization, and increasing transparency in government procurement, Ukraine has worked to make its institutions more resilient and its leaders more accountable. These reforms are commendable, but Ukraine has more to do to cement progress, prevent backsliding, and reduce oligarchic influence, which remains significant.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO JULIE D. FISHER BY SENATOR JAMES E. RISCH

Question. How will you ensure that, while the U.S. is sending an ambassador and reengaging with the Government after 12 years, that the importance of human rights is not diminished in our policy towards Belarus?

Answer. If confirmed, I will work diligently leading the team at Embassy Minsk to address human rights priorities and pro-democracy reforms outlined in the Belarus Democracy Act. This will include regular engagement on issues of democratic reforms and human rights, and directing U.S. Government assistance to an array of partners in Belarus, including all Belarusian democratic political parties, civil society, and independent media. Since 2015, Belarus has enjoyed some sanctions relief, but this is not irreversible and remains a source of considerable leverage. Progress on this front is critical for strengthening the bilateral relationship.

Question. Once ambassadors are exchanged, how do you expect to see U.S.-Belarusian relations change?

Answer. State Department leadership has sought to re-center our bilateral engagement with Belarus and to advance a more engaged diplomatic approach to encourage Belarus' to commit to reforms, improve its human rights record, and support Belarus's sovereignty-free from the dictates of Moscow or Beijing. If confirmed, the Department anticipates the exchange of ambassadors, representing a sustained high-level commitment, will improve inter-governmental communication, increase the incentives for reform, and foster a broadening and deepening of ties.

Question. What role will you, and other Western ambassadors, play during the post-election time frame in response to human rights violations perpetrated in the lead up to the election?

Answer. The Government of Belarus' activities during the presidential election period are concerning and represent a serious degradation of democratic progress and human rights in Belarus. If confirmed, I will work closely with our international partners to respond to the conduct of the presidential election as well as human rights violations committed in the election period by the Government of Belarus. I will engage directly with the Government of Belarus on its human rights abuses. While we do not seek to force Belarus into a false choice between East and West, such actions by the Belarusian Government are, in and of itself, self-defeating and self-isolating.

Question. Post-election, how will you engage with the winner to reform its authoritarian system, including the release of any remaining political detainees?

Answer. The Belarusian Government continues to detain, harass, and intimidate the opposition, civil society, the press, and certain religious minorities. If confirmed, I will engage with Belarusian counterparts to convey the benefits of improved international standing and partnership with the West. It is imperative Belarus demonstrate its commitment to the protection of human rights and fundamental freedoms, and permit civil society and the political opposition to engage in political discourse freely and openly.

Question. How do you plan to ensure that this growth—which will occur in a rather small space—is well managed?

Answer. We are engaged in discussions to construct a new embassy compound. I have learned from experiences in other fast-growing missions some of the potential risks of such growth, and I am committed to careful stewardship of taxpayer resources. The expansion of the U.S. footprint will allow us to engage more directly

with the Government of Belarus and a wide range of opposition politicians, civil society organizations, and our international partners in Minsk.

Question. How do you plan to avoid a “bunker mentality” and ensure that your people can get outside the embassy walls and interact with Belarusians?

Answer. Our expanding bilateral relationship and concurrent increase in staffing offers opportunities for growth in all aspects of our bilateral relationship. If confirmed, I will seek to broaden our engagements with all sectors of Belarusian society, including government, business, and civil society. Using public diplomacy and other outreach tools, I would seek to expand our efforts beyond Minsk and into smaller cities and towns nationwide. Greater resources in Belarus will enable us to do more to promote the interests of the American people, and I am committed to managing the expansion of our activities responsibly.

Question. Belarus has publicly floated the idea of engaging in joint exercises with NATO troops. There has also been increased interest in both NATO and Belarus to finalize a 1995 agreement on information sharing, and to deepen that relationship. What do you believe is the impetus behind this push?

Answer. Belarus joined NATO’s Partnership for Peace in 1995, but Allies never certified a security agreement, which has limited its scope of engagement with NATO. Finalizing a security agreement would allow for the country’s fuller participation in NATO partnership activities, including the possibility of joint military exercises. Through a closer relationship, NATO and Belarus could endeavor to build mutual confidence and ties to counter disinformation.

Question. Do you believe that NATO and Belarus should have a closer relationship?

Answer. The United States supports finalizing the 1995 security agreement between Belarus and NATO and closer cooperation between Belarus and NATO. Belarus is driving the effort to build closer ties, and Belarus’ opening to NATO parallels a gradual rapprochement in U.S.-Belarus bilateral relations, including recent high-level visits to Minsk by U.S. officials, the decision to exchange ambassadors, and the resumption of bilateral military cooperation.

Question. What consequences—positive or negative—of such a move could you foresee?

Answer. Belarus’ gradual rebalancing towards the West is a positive foreign policy development for the United States. We believe the potential positive outcomes of a closer relationship between NATO and Belarus outweigh any potential negative impacts. Allies have until August 31, 2020, to consider certifying an information sharing security agreement with Belarus. The NATO Office of Security review process, which includes a determination of what level of classification of information to share and other technical specifications, mitigates our information security concerns.

Question. In your opinion, does the Government of Belarus understand the potential consequences of this increase in Chinese investment?

Answer. I believe in recent months the Government of Belarus has become increasingly aware of the potential pitfalls of welcoming PRC investment, and already in mid-2019 the Government had stopped issuing sovereign guarantees to state-owned enterprises that tapped PRC lines of credit. Beijing operates through opaque, bilateral arrangements that undercut international standards. And in doing so—by lending hundreds of billions of dollars in a non-transparent way that breeds corruption, compromises institutions and erodes the rule of law in recipient countries—the PRC undermines the competitiveness of the local private sector and stifles sustainable development in the places that need it most. The United States offers a positive alternative—our transparent, private sector-driven model with a proven track record for delivering sustainable growth, reducing poverty, and fostering technological innovation.

Question. If confirmed, how will you work with our European partners to encourage Western investment into Belarus, as a means to diversify its economy away from China and Russia?

Answer. If confirmed, I look forward to working with European partners to deliver coordinated messaging to Belarusian Government and business counterparts on how to attract and keep Western investment. Embassy Minsk has been working to establish an American Chamber of Commerce in Minsk, which is slated to launch later this year. The establishment of this institution will help elevate the profile of Western businesses in Belarus.

Question. In your view, what is the balance between Western investment as a means of diversification from China & Russia and its use as a carrot for political reform?

Answer. The two are intertwined: political reform will logically lead to diversification of foreign direct investment away from Russia and the PRC. Accordingly, political reform will lead to greater economic independence from Russia and the PRC. If confirmed, this is a point I will make to Belarusian interlocutors at every opportunity.

Question. Do you view this as an area for growth in U.S.-Belarus relations?

Answer. Yes, and we have already seen a substantial amount of bilateral trade and investment activity in Belarus's burgeoning IT sector. This sector is part of the innovation-based economy, which has great potential for private-sector growth and for increasing the diversification of exports, thus decreasing Belarus' dependence on the Russian market.

Question. What other industries in Belarus could be supported by the U.S. to accomplish these objectives?

Answer. Supporting ongoing deliveries of U.S.-sourced oil to Belarus's refineries is one key industry where the United States can help Belarus decrease its economic reliance on Russia. The United States can also help foster a favorable legal environment for venture funding and build a community of private venture investors, while integrating Belarus into the international venture fund ecosystem.

Question. As ambassador, how will you work to promote media freedom in such a closed country?

Answer. If confirmed, I will address longstanding concerns regarding media restrictions with Belarusian authorities and actively engage with independent Belarusian and international outlets, and take an active interest in their work in Belarus. I will also continue to encourage U.S. programming assistance supporting independent media.

Question. What more should the U.S. Government do to support free media in Belarus?

Answer. The U.S. Government should support the capacity of independent media in Belarus, provide training to Belarusian journalists, and connect them to peers in the United States and European countries through professional development opportunities, exchanges, international conferences, and training.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO JULIE D. FISHER BY SENATOR ROBERT MENENDEZ

Prioritization of Democracy in Belarus

Question. How can the U.S. best support the people of Belarus in their aspirations for democracy, good governance, and respect for human rights? If confirmed, what specific steps will you take to do so?

Answer. The United States has encouraged Belarus to address human rights priorities and implement the pro-democracy reforms outlined in the Belarus Democracy Act, which are essential for it to fulfill its people's aspirations and realize the full potential of Belarus-U.S. relations. At the core of the Belarus Democracy Act is a desire for a greater diversity of voices in Belarus, including the political opposition, civil society, and independent media. We saw those voices emerge and multiply in the run up to Belarus' presidential election on August 9, 2020. However, the great concern we expressed about the regression in human rights during the election period, which included the detention, harassment, and intimidation of opposition candidates, activists, peaceful protesters, and journalists has grown in subsequent days. We remain concerned the Belarusian Government continues to detain and pressure the opposition and impose restrictions on the press, civil society, and certain religious minorities.

If confirmed, I will emphasize the United States' commitment to the Belarusian people and encourage Belarusian authorities to peacefully engage with opposition groups and protesters, conduct free and fair elections, permit a diversity of voices in Belarus, and support its active civil society. While we do have regular contact with these groups, I will increase our outreach efforts and advocate for continued growth.

Question. Under what circumstances should sanctions on Belarus be re-imposed?

Answer. Consistent with the Belarus Democracy Act of 2004 (BDA), President Bush initially signed Executive Order 13405 in 2006, blocking the property of ten individuals, including President Lukashenka. This came in light of actions and policies by members of the Government of Belarus and others to undermine Belarus's democratic processes and institutions, commit human rights abuses, and/or engage in public corruption. Today, sixteen individuals and nine companies—Belarus's largest petrochemical conglomerate and its subsidiaries—remain designated under E.O. 13405.

The ability to impose sanctions is a powerful tool and a key reason the United States continues to have influence with the Government of Belarus. I believe if actions to undermine democratic processes or institutions, commit human rights abuses, or public corruption are identified, it would be appropriate to consider imposing additional sanctions on specific individuals.

Question. There have been complaints that when official U.S. delegations visit Belarus they fail to meet with democratically-oriented political party leaders. These leaders say these omissions unintentionally send a message to the Government that the U.S. will tolerate their continued marginalization. How would you ensure this does not happen if you are confirmed to be Ambassador?

Answer. I understand the concerns of democratically-oriented political party leaders on this subject. Most recently, Under Secretary for Political Affairs David Hale met with opposition leaders during his September 2019 visit to Minsk, and Secretary Pompeo met with civil society leaders during his visit in February. They were each at the time the most senior administration officials to visit Belarus since 1994. If confirmed, I would endeavor to include opposition leaders in future visits at all levels.

Question. If confirmed, do you commit that under your leadership, the U.S. Embassy will not take any action to support, promote, or participate in any matters related to, or that could be perceived as benefitting, the Trump Organization?

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

Question. Do you commit to make clear to all employees that retaliation of any kind has no place in federal government and will not be tolerated under your leadership? Do you agree that anyone found to have engaged in retaliation should be held fully accountable, up to and including losing their job?

Answer. Yes, I commit to ensure my team understands there is no place for prohibited personnel practices in the federal government and it certainly would not be tolerated under my leadership. I agree that those found to have engaged in retaliation should be subject to accountability and discipline consistent with applicable laws, regulations, and Department policy.

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

Answer. Supporting our people has been a core tenet of my Foreign Service career, and I am committed to supporting the work of Foreign and Civil Service professionals, as well as locally employed staff. I hope to have many opportunities at Embassy Minsk to support a diverse and inclusive environment. Diversity is a source of strength and resilience for any institution, and I will endeavor to build a team that is strong and united in its efforts to advance U.S. interests in Belarus.

Question. Do you commit to respond promptly to all requests for information by members of this committee?

Answer. Yes, with the understanding that any such response would be organized through the Department of State's Bureau of Legislative Affairs and conducted in accordance with long-standing Department and Executive Branch practice.

Question. Do you commit to appear before this committee upon request?

Answer. Yes, with the understanding that any such appearance would be organized through the Department of State's Bureau of Legislative Affairs and conducted in accordance with long-standing Department and Executive Branch practice.

Question. Do you commit to report to appropriate authorities, including the FBI, Inspector General, and Congress, any credible allegations of foreign interference in U.S. elections?

Answer. Yes, if confirmed, I commit to complying with all relevant laws, regulations, and rules, and to raising concerns that I may have through appropriate channels.

Question. Do you commit to report to appropriate authorities, including the FBI, Inspector General, and Congress, any attempts by foreign or private individuals to improperly influence U.S. foreign policy, particularly if you have reason to believe those efforts are adverse to U.S. interests?

Answer. Yes, if confirmed, I commit to complying with all relevant laws, regulations, and rules, and to raising any concerns I may have through appropriate channels.

Question. If you become aware of any suspected waste, fraud, or abuse in the Department, do you commit to report it to the Inspector General or other appropriate channels?

Answer. Yes, if confirmed, I commit to complying with all relevant laws, regulations, and rules, and to raising any concerns I may have through appropriate channels.

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

Answer. Over the course of my Foreign Service career, the promotion of democracy and human rights issues, particularly in the former Soviet Union, has been central to my work.

In Ukraine and in Russia in the mid-1990s, I maintained relations with key human rights activists and representatives of persecuted religious minorities. I promoted the rule of law in both countries and worked closely with colleagues from across the interagency to help educate prosecutors and train judges and judicial support staff.

In the case of Georgia, I served as the desk officer in Washington then subsequently as the Counselor for Political and Economic Affairs. As desk officer, I supported the work of then-Presidential Special Envoy James Baker, who led U.S. efforts to ensure free and fair elections in the fall of 2003. I assisted his efforts to negotiate a scorecard agreed by then President Shevardnadze and the opposition for assessing the conduct of those elections. And in the aftermath of the Rose Revolution in Georgia, and then following the Russian invasion of Georgia, I supported a broad range of efforts to ensure an ongoing commitment to the rule of law and democratic processes.

In these roles, I worked closely with colleagues in the Department's Trafficking in Persons office to protect victims and hold perpetrators accountable. Our visible efforts to support the members of the local LGBTQ communities were also critical.

And in my assignments at NATO I had the opportunity to support efforts to ensure the Alliance worked aggressively to combat Sexual Violence against Women in combat and to ensure the inclusion of women in discussions related to Afghanistan's future.

As a Deputy Assistant Secretary in EUR, I engaged governments in Western Europe and at the EU on shared human rights concerns including decriminalization of homosexuality, Trafficking in Persons and support for religious minorities. In each of these roles I believe my efforts along with those of my interagency colleagues contributed to the promotion of individual liberty and the protection of vulnerable populations.

Question. What issues are the most pressing challenges to democracy or democratic development in Belarus? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. The most pressing challenges to democratic development in Belarus include: regulatory measures imposed by the Government to constrain civil society; restrictions on independent media, and the prohibition of legitimate political opposition; lack of free and fair elections; centralization of governmental and bureaucratic decision-making authority in Minsk; state administration and control over a majority of the economy, which makes a majority of Belarusians directly dependent on the State; Russian disinformation and malign Kremlin influence, including ongoing pressure for Belarus to cede sovereignty to Russia; and undue PRC economic influence, including debt financing.

Question. What steps will you take—if confirmed—to support democracy in Belarus? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. If confirmed, I will support democracy in Belarus by advocating for the benefits of transitioning to a democratic model in my engagements with the Belarusian Government. I will similarly engage with civil society, political opposition, and a wide array of organizations and interlocutors throughout the country to foster and strengthen people-to-people ties, increase understanding of the United States in Belarus, and demonstrate U.S. support for democratic principles and fundamental freedoms in Belarus. I would do this in close coordination with our European partners. Potential impediments include repression of human rights and fundamental freedoms by the Government of Belarus, reflexive opposition based on post-Soviet ideology, Russian disinformation, and/or malign PRC economic influence.

Question. How will you utilize U.S. Government assistance resources at your disposal, including the Democracy Commission Small Grants program and other sources of State Department and USAID funding, to support democracy and governance, and what will you prioritize in processes to administer such assistance?

Answer. If confirmed, I will utilize U.S. Government assistance resources, including the Development Fund Small Grants program and other sources of State Department and USAID funding, to support and promote initiatives that contribute to more open and competitive political and economic systems, good governance, and human rights. Beyond seeking robust funding for assistance programming, including international exchanges and professional networking programs, I will prioritize assistance to civil society organizations, local press outlets, and domestic social media. I will focus special attention on promoting public-private sector partnerships and facilitating positive changes in Belarusian legislation to help counter Russian influence.

Question. If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society in Belarus? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Yes, if confirmed, I commit to meet with civil society members, human rights, and other non-governmental organizations in the United States and with local human rights NGOs and other members of civil society in Belarus. I will advocate to government interlocutors on behalf of these groups, collectively, and encourage access for them. I will also support the professional development of their members by including them as participants in U.S. Government assistance programs and/or international exchange programs. The embassy will engage with the Belarusian Government, in concert with the Organization for Security and Cooperation (OSCE), the Venice Commission, and/or other likeminded diplomatic missions in Minsk to advocate against legal or regulatory measures that restrict or penalize NGOs and civil society.

Question. If confirmed, do you commit to meet with democratically-oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. Yes, if confirmed, I commit to meeting with democratically-oriented political opposition figures and parties. I will meet with opposition politicians and civil society activists, as well as encourage access and a seat at the table for women, minorities, and youth through engagement with the Government of Belarus and by facilitating their professional development, including participation in U.S. Government assistance programs, and/or international exchange and networking programs.

Question. Will you and your embassy team actively engage with Belarus on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press in Belarus?

Answer. Yes, if confirmed, the Embassy Minsk team and I will work to safeguard freedom of the press and counter any government efforts intended to restrict freedom of the press or punish journalists. If confirmed, I intend to meet with a wide spectrum of media representatives, including independent, local press in Belarus.

Question. Will you and your embassy team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors in the country?

Answer. Yes, if confirmed, the Embassy Minsk team and I will counter disinformation and propaganda disseminated by foreign or non-state actors in the country.

Question. Will you and your embassy teams actively engage with Belarus on the right of labor groups to organize, including for independent trade unions?

Answer. Labor groups face particular challenges in Belarus. If confirmed, the team at Embassy Minsk and I will meet with labor groups and monitor whether they encounter obstacles in efforts to organize.

Question. Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people in Belarus, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and queer (LGBTQ) people face in Belarus? What specifically will you commit to do to help LGBTQ people in Belarus?

Answer. If confirmed, I will use my position to defend the human rights and dignity of all people. LGBTQ people face widespread discrimination in many places, including Belarus, and law enforcement often fails to prosecute attacks against the LGBTQ community. The LGBTQ community deserves the support of the United States. If confirmed, I will ensure we make efforts to include LGBTQ and others who may be facing discrimination in events hosted or organized by the Embassy and be an active voice advocating for the human rights of LGBTQ persons.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO JULIE D. FISHER BY SENATOR BENJAMIN L. CARDIN

Question. What are your most meaningful achievements to date in your career to promote human rights and democracy? What has been the impact of your actions?

Answer. Over the course of my Foreign Service career, the promotion of democracy and human rights issues, particularly in the former Soviet Union, has been central to my work.

In Ukraine and in Russia in the mid-1990s, I maintained relations with key human rights activists and representatives of persecuted religious minorities. I promoted the rule of law in both countries and worked closely with colleagues from across the interagency to help educate prosecutors and train judges and judicial support staff.

In the case of Georgia, I served as the desk officer in Washington then subsequently as the Counselor for Political and Economic Affairs. As desk officer, I supported the work of then-Presidential Special Envoy James Baker, who led U.S. efforts to ensure free and fair elections in the fall of 2003. I assisted his efforts to negotiate a scorecard agreed by then President Shevardnadze and the opposition for assessing the conduct of those elections. And in the aftermath of the Rose Revolution in Georgia, and then following the Russian invasion of Georgia, I supported a broad range of efforts to ensure an ongoing commitment to the rule of law and democratic processes.

In these roles, I worked closely with colleagues in the Department's Trafficking in Persons office to protect victims and hold perpetrators accountable. Our visible efforts to support the members of the local LGTBQ communities were also critical.

And in my assignments at NATO I had the opportunity to support efforts to ensure the Alliance worked aggressively to combat Sexual Violence against Women in combat and to ensure the inclusion of women in discussions related to Afghanistan's future.

As a Deputy Assistant Secretary in EUR, I engaged governments in Western Europe and at the EU on shared human rights concerns including decriminalization of homosexuality, Trafficking in Persons, and support for religious minorities. In each of these roles I believe my efforts along with those of my interagency colleagues contributed to the promotion of individual liberty and the protection of vulnerable populations.

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

Answer. First and foremost, the Government's activities during the presidential election period are greatly concerning and demonstrate a serious setback to any progress Belarus has made towards improving its human rights record. This in-

cludes the harassment, intimidation, and detention of political opposition figures, protesters, and independent journalists. Other significant human rights concerns in Belarus include a lack of free and fair elections, the treatment of religious minorities, and restrictions on the fundamental freedoms of expression, association, and assembly. Other concerns include: a lack of judicial and law enforcement integrity; impunity for police abuses and attacks on civil society activists, journalists, and minorities; and restrictions on media freedom. If confirmed, I will work with Belarusian officials and civil society to address these concerns and hold perpetrators accountable. I will encourage the Government of Belarus to uphold its OSCE commitments, hold legitimately free and fair elections, and improve its human rights record.

Question. If confirmed, what are the potential obstacles to addressing the specific human rights issues you have identified in your previous response? What challenges will you face in Belarus in advancing human rights, civil society, and democracy in general?

Answer. Highly centralized political control and decision-making, and political corruption, pose a significant obstacle to democratic processes in Belarus and undermine human rights as they restrict judicial independence, media freedom, and transparent governance. If confirmed, I will encourage Belarusian officials to respect the fundamental freedoms of their people, demonstrate their commitment to democratic reforms, including free and fair elections, and uphold Belarus' commitments to the OSCE and the international community. I will work with civil society to increase its ability to actively engage with its government and support initiatives to increase citizen input and participation in decision-making at all levels.

Question. Are you committed to meeting with human rights, civil society, and other non-governmental organizations in the U.S. and with local human rights NGOs in Belarus? If confirmed, what steps will you take to pro-actively support the Leahy Law and similar efforts, and ensure that provisions of U.S. security assistance and security cooperation activities reinforce human rights?

Answer. Yes, I am committed to meeting with human rights, civil society, and other non-governmental organizations in the U.S. and with local human rights NGOs in Belarus. Promoting democracy, human rights, and fundamental freedoms advances U.S. national security. I believe it is essential to create and maintain strong security relationships with partners through diplomacy, measured assistance, and cooperation designed to reinforce human rights. The Leahy Laws are important tools that assist us in developing effective partnerships, and I fully support the laws and their continued rigorous implementation by the Department of State.

Question. Will you and your embassy team actively engage with Belarus to address cases of key political prisoners or persons otherwise unjustly targeted by Belarus?

Answer. The release of all political prisoners in 2015 led to our renewed effort to improve bilateral relations and provide limited, temporary sanctions relief for nine state owned enterprises. The current detentions of opposition candidates and activists are concerning and a serious setback in the Government of Belarus' progress towards improving its human rights record. If confirmed, I will engage with the Belarusian Government on detentions of opposition candidates and activists.

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

Answer. Yes, Belarus' commitment to democratic processes and human rights are a crucial part of strengthening our bilateral relationship. As such, I am committed to engaging with Belarus on matters of human rights, civil rights, and transparent governance guided by the Belarus Democracy Act.

Question. Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor, and support your staff that come from diverse backgrounds and underrepresented groups?

Answer. I hope to have many opportunities at Embassy Minsk to support a diverse and inclusive environment. I know from my experience in government, both serving overseas and in Washington DC, that diversity is a source of strength and resilience for any institution. I will endeavor to build a team that is united in its efforts to advance U.S. interests in Belarus.

Question. What steps will you take to ensure each of the supervisors at the Embassy in Belarus are fostering an environment that is diverse and inclusive?

Answer. I have been a team builder for over 25 years in the Foreign Service, whether serving at embassies abroad or in Washington. I am committed to supporting the excellent work of our Foreign and Civil Service professionals, as well as locally employed staff, and I will have no tolerance for actions or attitudes that disrespect any of members of the Embassy team.

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

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

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

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

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

Answer. My investment portfolio includes diversified mutual funds, which may hold interests in companies with a presence overseas, but which are exempt from the conflict of interest laws. I also currently hold financial interests in a number of companies which have interests in various foreign countries. I am committed to following all applicable ethics laws and regulations and remaining vigilant with regard to my ethics obligations.

Question. How do you believe political corruption impacts democratic governance and the rule of law generally, and in Belarus specifically?

Answer. Political corruption undermines democratic governance and the rule of law. While we do not see corrupt actors creating independent power centers in Belarus as is the case for other countries in the region, Belarus has experienced authoritarian government for decades, and its institutions are underdeveloped and lack independence. Its parliament and judiciary serve effectively as arms of the executive branch.

Question. What is your assessment of corruption trends in Belarus and efforts to address and reduce it by that government?

Answer. As Belarus has experienced a serious reduction in Russian energy subsidies and COVID-19 associated economic disruption, the country's leadership has turned increasingly to a small coterie of business leaders to assume responsibility for earning the hard currency the Government needs to avoid a balance of payments crisis. These non-transparent relationships increase the likelihood of corrupt deals. The Government should focus on improving the integrity of public procurement and real estate transactions. Improving the climate for independent media and independent civil society is essential to combatting these trends.

Question. If confirmed, what steps will you take to strengthen good governance and anticorruption programming in Belarus?

Answer. Good governance and productive efforts to counter corruption begin with recognizing and adhering to international standards, building strong and transparent institutions, and eliminating conflicts of interest. Civil society and journalists often play a crucial watchdog role, and it is necessary for them to operate freely. If confirmed, I will direct assistance programming to support efforts at both the national and grassroots level to promote good governance and safeguard fundamental freedoms.

RESPONSE TO AN ADDITIONAL QUESTION FOR THE RECORD
SUBMITTED TO JULIE D. FISHER BY SENATOR JEANNE SHAHEEN

Question. If confirmed, will the nominee commit to meeting with the National Coordination Council as one of her first acts as Ambassador?

Answer. Yes. The Department is committed to Belarus's sovereignty and political independence, and we support the aspirations of the Belarusian people to choose their own leaders through free and fair elections. We commend the unwavering courage of Belarusian society, and are deeply troubled by reports of politically-motivated detentions, forced deportations, and kidnapping of political opposition members. If confirmed, I commit to strengthening our support for the Belarusian people, including through early discussions with the National Coordination Council and by encouraging a productive dialogue between the regime and the Coordination Council.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD SUBMITTED
TO JULIE D. FISHER BY SENATORS JEANNE SHAHEEN AND CHRISTOPHER MURPHY

Question. Ms. Fisher, President Lukashenko has responded to those protesting Sunday's disputed election with a crackdown that is unusually brutal even for Lukashenko's 26-year rule. In addition to the Department's statement, what options are on the table to send a clear message to President Lukashenko that his brutal response to the people of Belarus is unacceptable? Given that the last U.S. ambassador to Belarus left Minsk as a result of sanctions applied to Belarusian entities and individuals for similar behavior, what is the message that the Department intends to send by sending an ambassador back to Minsk at this time?

Answer. The Government of Belarus' activities during the election period represent a serious degradation of democratic standards and human rights in Belarus. The August 9, 2020, election was neither free nor fair, and we strongly condemn ongoing violence against peaceful protesters.

The U.S. ambassador departed Minsk in 2008 because President Lukashenka reduced our staff to a maximum of five Americans and withdrew accreditation for an Ambassador, reducing the mission leadership in both Minsk and Washington to the level of Chargé. The bilateral relationship languished for the better part of a decade, limiting our influence. Lukashenka adjusted his view of the bilateral relationship after the 2014 Russian takeover of Crimea and aggression in eastern Ukraine. Since 2018, we have sought to re-center our bilateral engagement with Belarus and advance a more engaged diplomatic approach, to compete for positive influence against Russia and China, and to further ties with the emerging new Belarus.

As the events of the past week clearly show, Belarus has changed since 2008. Ordinary Belarusians, particularly the younger generation, are calling for change. Economic frustration exacerbated by COVID-19 has rapidly accelerated this trend. Returning a U.S. representative in Minsk at the Ambassadorial level will greatly enhance our relationships with Belarusian civil society, allow us to more persuasively advocate for human rights and democratic reforms, and allow us to directly compete with Russia and China for influence. By returning an ambassador to Minsk, we will improve our ability to support the people of Belarus in shaping a democratic, prosperous future and deliver a clear message to the authorities that the path to an expanded relationship depends on the advancement of human rights in Belarus.

As Secretary Pompeo said recently in Europe, the administration is considering a full range of options and is consulting closely with like-minded allies and partners. That review will cover options including sanctioning officials involved in supervising the violence and vote falsification.

Question. Could you please provide us an update on what the Department has done to advocate for the release of U.S. citizen, Vitaly Shkliarov?

Answer. We have no higher priority than the safety and welfare of U.S. citizens abroad. U.S. diplomats in Minsk and in Washington have repeatedly raised concerns with the Belarusian Government, including the Foreign Minister multiple times, regarding Mr. Vitali Shkliarov's unjustified detention.

We press for consular access and his release. On August 13, 2020, our Embassy in Minsk was granted consular access, and a U.S. consular officer visited Mr. Shkliarov in detention. We will continue to press for his release, and until then for fair treatment, judicial transparency, and regular visits by U.S. consular officials. We will monitor Mr. Shkliarov's case closely and remain in close contact with his family and legal representation.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO ALEX NELSON WONG BY SENATOR ROBERT MENENDEZ

Question. As I stated in the hearing, the U.S. has taken actions that have downgraded its engagement with a number of critical U.N. bodies and programs. It has racked up nearly \$1 billion in arrears on its U.N. peacekeeping dues, withdrawn from the U.N. Human Rights Council, withheld funding for the U.N. Human Rights Office, and abrogated its participation in other U.N. institutions and initiatives, such as the Paris Agreement. At the same time, the role and influence of other countries—particularly China—has been growing at the U.N.. China is now the second largest financial contributor to U.N. peacekeeping, its assessment rate having increased to 15 percent this year from just over 3 percent ten years ago. It is also one of the largest troop contributors to U.N. peacekeeping operations, providing more uniformed personnel than the rest of the permanent members of the Security Council combined. And it has expanded its role in a range of U.N. agencies, with Chinese nationals currently holding the top job in four of the organization's fifteen specialized agencies: the International Civil Aviation Organization (ICAO), the Food and Agriculture Organization (FAO), the International Telecommunication Union (ITU), and the U.N. Industrial Development Organization (UNIDO):

- Does our diminished engagement give the Chinese Government an opening to shape the U.N.'s agenda to fit its own interests?

Answer. The United States remains committed to upholding the U.N. institutions that have fostered global peace and prosperity over the past 75 years. The United States remains an indispensable actor in the international system, including within the United Nations and its associated bodies. The United States continues to be the largest financial contributor to the U.N. system, providing over \$12.2 billion in fiscal year 2019. The United States continuously works to ensure that the American values of human rights, the dignity and worth of individuals, peaceful resolution of conflict, sustainable economic prosperity, national sovereignty, transparency, and the rule of law are protected and upheld at the United Nations and related international institutions.

If confirmed, I will be a vocal advocate in supporting these values and the core pillars of the U.N. Charter—peace and security, sustainable development, and human rights. I will also advocate for reform at the United Nations and its organizations to ensure they are effective and accountable institutions of the 21st Century. The United States' support is critical for the United Nations to accomplish its mission. I will work to ensure that American leadership continues at the United Nations.

I share the concern over the People's Republic of China's attempts to use the United Nations to advance its narrow self-interests. If confirmed, I will seek to continue the administration's efforts to point out and push back against the PRC's problematic behavior within the United Nations and its related agencies. The United Nations should not be used as a tool to promote authoritarian ideology, the Belt and Road Initiative, or China's domestic agenda at the expense of the international system and the principles of the U.N. Charter.

Question. What implications does this have for U.S. national security interests and other foreign policy priorities, such as the promotion and protection of human rights?

Answer. The People's Republic of China's (PRC) behavior at the United Nations presents a challenge for all member states that seek to uphold the purposes and principles of the U.N. Charter, including human rights. Oppressive governments often seek to coopt and use international institutions to distract from their attempts to compromise democratic values and human rights.

I am alarmed by the deteriorating human rights situation in the PRC, including in the Xinjiang Uyghur Autonomous Region and in Tibetan areas, as well as the PRC Government's efforts to undermine international organizations' ability to promote human rights around the world. The Chinese Communist Party holds thousands of political prisoners, routinely violates fundamental freedoms, including free-

dom of religion or belief, freedom of expression, and freedom of peaceful assembly and association; and seeks to erode the cultural heritage of minority communities. When the PRC attempts to change the rules to undermine international standards of human rights, the United States must work closely with likeminded partners to push back. The PRC Government must demonstrate respect for its own laws as well as its international obligations and commitments related to human rights and fundamental freedoms.

Question. If confirmed, what actions will you take to address this issue?

Answer. If confirmed, I am committed to working to ensure the U.N. upholds all three pillars of the U.N. Charter, including promoting human rights, and will strive to ensure that it serves the entire global community in an efficient, fair, and transparent manner. This includes pushing back in areas where the People's Republic of China (PRC) and other malign actors have attempted to alter norms, weaken institutions, or erode founding principles. There must be free, fair, transparent, and rules-based elections to leadership positions in U.N. agencies based on merit, and the United States will hold all leaders of U.N. agencies accountable to standards, results, and their commitment to act impartially in the interest of the institution. I understand the Department is also exploring how to increase U.S. participation and personnel in the United Nations, including in peacekeeping. If confirmed, I will work closely with the Department to advance these goals if pursued.

I will work closely with likeminded partners at the U.N. to focus the international community's attention on the PRC's human rights violations and press the PRC to change course. I will also continue the Department's efforts to combat the PRC's insertion of its authoritarian ideology and references to the Belt and Road Initiative into U.N. resolutions and programming. I will ensure that that the United States regularly speaks about Beijing's egregious human rights record in all appropriate U.N. fora.

Question. You stated in your oral testimony that "when there is an organization that does not abide by the U.N. charter, which does not live up to its principles, where reform or the path to reform is not available with continued U.S. participation, that U.S. withdraw should be considered."

- Is this the reason the U.S. is withdrawing from the Paris Agreement?

Answer. As President Donald Trump indicated in his June 1, 2017, remarks, he made the decision to withdraw the United States from the Paris Agreement because U.S. pledges under the Agreement unfairly burdened American businesses, workers, and taxpayers compared to costs borne by the United States' major competitors.

The United States is proud of its record as a world leader in reducing emissions, driving economic growth, and fostering resilience at home and abroad. The United States will continue to be a leader in assisting our partners to reduce emissions, protect natural resources, increase resilience, and respond to natural disasters.

Question. Do you believe the U.S. should withdraw from the Paris Agreement?

Answer. I support the administration's position. The United States supports a balanced approach to climate change that promotes economic growth and improves energy security while protecting the environment. The United States is a world leader in protecting the environment. Regardless of our position on one international environmental agreement, the United States continues to reduce all types of emissions, even as we grow our economy and ensure our citizens' access to affordable energy.

Question. What reforms has the U.S. pursued, and presumably failed at achieving, to the Paris Agreement justifying our departure?

Answer. As President Trump has indicated, the United States is withdrawing from the Paris Agreement because U.S. pledges under the Paris Agreement unfairly burden American businesses, workers, and taxpayers compared to the costs borne by our major competitors. The United States continues to work to level the playing field with our economic competitors, including on consistent and transparent emissions reporting.

Question. U.N. humanitarian agencies are playing an essential role in responding to the crisis in Yemen, where nearly 80 percent of the population is reliant on some form of humanitarian aid. Here, the U.N. World Food Program (WFP) is working to reach 12 million people per month with food and nutritional assistance; UNICEF and the World Health Organization (WHO) did critical work responding to a massive cholera epidemic, operating treatment facilities and vaccinating people across the country; and UNFPA has integrated nutrition assistance for pregnant women into its reproductive health and safe delivery services in the country. These activities have undoubtedly saved many thousands of lives, even as the country's brutal

civil war continues to grind on. Unfortunately, these efforts are experiencing serious funding gaps, which has led to the scaling back of certain services:

- What is the United States doing to address the funding constraints currently facing U.N. agencies on the ground?

Answer. The United States is the largest donor to the humanitarian response in Yemen this year. In May, Secretary of State Pompeo announced nearly \$225 million in additional emergency aid to Yemen, which brings the total from the American people to more than \$1.1 billion since Fiscal Year 2019. The Department and the U.S. Agency for International Development (USAID) regularly engage U.N. agencies to discuss humanitarian funding in Yemen while also pressing Member States to increase funding and fulfill outstanding pledges. We continue to advocate that donors expedite their pledged contributions to the response in a transparent and coordinated manner. We also continue to call on other countries to step up their assistance to the Yemen humanitarian funding appeal, including by supporting the U.N. Global Humanitarian Response Plan addressing the humanitarian effects of COVID-19.

The United States has been working to clear hurdles that prevent humanitarian assistance, including the Houthis' ongoing attempts to interfere in aid operations. While this hindrance forced the U.S. Government, the World Food Program, and other organizations to suspend some aid programs in northern Yemen, the U.S. Government stands ready to support our partners wherever they can operate independently, and at levels that enable them to exercise adequate oversight over their programs.

Question. The U.N. Security Council voted to deploy U.N. peacekeepers to Mali in 2013, following a French military intervention targeting extremists—including groups linked to al-Qaeda—that had taken over the country's vast northern regions. Since then, the U.N. mission in Mali (MINUSMA) has played an important role in facilitating elections that restored Mali's democratic Government, and is currently working to build on these efforts to rebuild national institutions and extend state authority by training judges and supporting security sector reform. Moreover, MINUSMA has worked with French troops to prevent armed extremist groups—including regional affiliates of al-Qaeda and ISIS—from extending their reach in the area or reoccupying towns in northern Mali that they seized in 2012.

- Given the insecurity currently affecting Mali and the wider Sahel region, do you think it is important for U.N. peacekeepers to maintain a strong presence in northern and central Mali?

Answer. The administration supports the U.N. peacekeeping mission in Mali (MINUSMA). It provides an essential level of security without which Mali and the Sahel region would be substantially destabilized. In parts of the center and north of Mali, MINUSMA is the primary source of stability, enabling humanitarian access and some protection for the population. MINUSMA plays a leading role in facilitating implementation of the 2015 Algiers Peace Accord. Counterterrorism operations in the region also rely on logistical support from MINUSMA, including the majority of France's 5,100 troops deployed as part of Operation Barkhane in the Sahel. MINUSMA also provides certain logistical and medical support to the G5 Sahel Joint Force on a cost reimbursable basis.

Question. In South Sudan, which was plunged into a devastating civil war in 2013, peacekeepers have been protecting more than 200,000 civilians who fled their homes and sought shelter at U.N. bases. Given the exceptionally brutal nature of the violence in South Sudan and the fact that civilians have been targeted on the basis of their ethnicity, it is likely many of these people would have been killed had the U.N. not intervened to protect them. While a peace agreement between President Salva Kiir and his former Vice President, Riek Machar, is currently in effect and being slowly implemented, there remains a risk of backsliding and renewed violence:

- Do you think it is important for the U.N. to continue its efforts to protect these civilians?

Answer. Yes. The United States strongly supports the U.N. Mission in South Sudan's (UNMISS) protection of civilian (POC) task, which includes protecting the internally displaced persons (IDPs) residing in U.N. "Protection of Civilian" sites. UNMISS fulfills a critical role in protecting civilians, as well as monitoring and reporting on human rights, creating conditions for delivery of humanitarian assistance, and creating space for South Sudan's implementation of the revitalized peace process. During Security Council negotiations earlier this year, the United States successfully pressed to reinforce this core mission of UNMISS and supported its ef-

forts to be more mobile and responsive through patrolling in high threat areas. We also urged the Government of South Sudan to remove restrictions that impede UNMISS patrolling and its other activities, including human rights monitoring. At the same time, we are working closely with the Government of South Sudan and UNMISS to help create the conditions for voluntary, safe and dignified returns.

Question. What pressure are you exerting on parties to the conflict, and other countries in the region, to adhere to the peace agreement?

Answer. The Department is pressing the parties for full implementation of the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), including persistent efforts by our Embassy in Juba and Special Envoy for South Sudan Ambassador W. Stuart Symington IV. Our officers in Juba and Special Envoy Symington engage their counterparts and stakeholders in South Sudan on these issues continually. The Department has also repeatedly worked to advance implementation of the peace agreement through the United Nations. In recent U.N. Security Council negotiations to renew the UNMISS mandate, the United States pressed to reinforce the mission's role in supporting the peace process. In May, the Department led the Security Council to renew the U.N. sanctions regime for South Sudan, which includes a territorial arms embargo and targeted sanctions on individuals who threaten peace and security in South Sudan. The Department also led negotiations and drafting of a Security Council press statement in July expressing grave concern about renewed violence. The Department continues to call on South Sudan's leadership to fully implement the R-ARCSS, prevent violence, protect civilians, and lift restrictions on UNMISS's freedom of movement.

Question. The U.N. peacekeeping mission in Darfur (UNAMID) has been in the process of drawing down since 2018, and is set to exit Sudan by the end of the year. While last year's ouster of longtime dictator Omar al-Bashir and the country's transition to a civilian-military government have been hailed as signs of hope for a more stable and democratic future for Sudan as a whole, violence has continued in parts of Darfur. Indeed, last week alone, 60 people were killed in an assault on a village in West Darfur, the deadliest attack in months. There are also growing concerns that the country's democratic transition may be at risk. The Trump administration has used its seat on the U.N. Security Council—the body that possesses ultimate authority over the decision to withdraw UNAMID—to support the drawdown:

- Given recent developments, is there any thought being given to potentially pumping the brakes on that process?

Answer. In U.N. Security Council negotiations this year, the United States successfully pressed for an extension of the U.N.-AU peacekeeping mission in Darfur (UNAMID) due to concerns about ongoing insecurity there. The Department also negotiated the inclusion of unarmed civilian protection tasks into the new special political mission, the U.N. Integrated Transition Assistance Mission in Sudan (UNITAMS). The United States has continued to monitor the situation closely and raised its concerns about the escalating violence in Darfur, most recently in a Troika statement on July 16, 2020. The Department is urging the United Nations and African Union to produce an honest and frank report on security conditions on the ground in Darfur in October, as mandated in the new UNAMID resolution, as well as a realistic timeline for drawdown of the mission that accounts for the recent violence, its protection of civilians responsibility, COVID-19 and the rainy season.

Question. What do you see as the necessary prerequisites for a withdrawal of U.N. forces, and does the current situation on the ground in Darfur meet those standards?

Answer. The United States believes it is important for Sudan's civilian-led transitional government to be able to credibly protect civilians in Darfur. The Department was encouraged to see the civilian-led transitional government's (CLTG) engagement with community leaders who have protested against the lack of security and accountability, as well as the CLTG's request for UNAMID's assistance with training, logistics, and equipment for a new joint security force deployed to Darfur, though any such assistance must follow the U.N.'s Human Rights Due Diligence Policy. The United States is encouraging the CLTG to go further and work closely with the new U.N. special political mission (UNITAMS), as well as the U.N.-AU peacekeeping mission in Darfur (UNAMID), to help implement the CLTG's national protection of civilians strategy and a peace agreement once it is signed.

Question. In a major shift from previous U.S. policy, the Trump administration blocked attempts to hold an official meeting in the U.N. Security Council on the human rights situation in North Korea in December 2018 and December 2019. This was reportedly done to prevent a rupture in the diplomatic opening between the

U.S. and North Korea on the nuclear file. Last September, Ambassador Robert King, former U.S. Special Envoy for North Korea Human Rights Issues, wrote in an opinion piece that, “The Security Council clearly is the U.N. body which receives the highest attention and holds the greatest clout, and it is also quite apparent that the North Koreans pay particular attention to its actions. North Korea has been attentive and outspoken in defending its policies when the Security Council is involved, and the modest improvements in its human rights record (for example, in treatment of people with disabilities) indicates the importance of pressing North Korea for progress.” The administration has argued that U.N. human rights mechanisms like the Human Rights Council need to be more effective at confronting dictatorial regimes that systematically abuse human rights:

- Why then, did the administration not support a discussion of the human rights record of what is probably the most repressive regime in the world in the U.N.’s most important decision-making body?
- If confirmed, will you commit to working to return this issue to the Security Council’s agenda?

Answer. The United States did not block discussion of the human rights situation in the DPRK. We have made the case for the U.N. Security Council to take strong, unified action on human rights as well as on the full range of DPRK issues we face, particularly in response to any major provocation by the DPRK that would undermine international security and violate multiple UNSC resolutions. The human rights situation on the Korean Peninsula warrants discussions, as does the DPRK’s WMD and missile programs. Improving human rights in the DPRK remains a key administration objective.

Question. If confirmed, will you commit to working to return this issue to the Security Council’s agenda?

Answer. We believe the DPRK is among the most repressive authoritarian states in the world and remain committed to addressing the human rights situation in the DPRK. We work with the international community to raise awareness, highlight abuses and violations, increase access to independent information, and promote respect for human rights in the DPRK. We will continue to seek ways to address in New York—including in the U.N. Security Council—the DPRK’s human rights abuses regardless of the status of our relationship with the DPRK.

Question. If confirmed, do you commit that under your leadership, the U.S. Mission to the United Nations will not take any action to support, promote, or participate in any matters related to, or that could be perceived as benefitting, the Trump Organization?

Answer. If confirmed, I commit to complying with all relevant laws, regulations, and rules, and to raising concerns that I may have through appropriate channels.

Question. Do you commit to make clear to all employees that retaliation of any kind has no place in federal government and will not be tolerated under your leadership? Do you agree that anyone found to have engaged in retaliation should be held fully accountable, up to and including losing their job?

Answer. Yes. I agree that prohibited personnel practices is wholly inappropriate. I take allegations of such practices seriously and if confirmed, I will maintain a policy of no tolerance for prohibited personnel practices.

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

Answer. If confirmed, I will seek—as I have throughout my career—every opportunity to strengthen diversity and encourage an inclusive, collaborative, and respectful workplace at the U.S. Mission to the United States.

Question. Do you commit to respond promptly to all requests for information by members of this committee?

Answer. Yes, with the understanding that any such response would be organized through the Department of State’s Bureau of Legislative Affairs and conducted in accordance with long-standing Department and Executive Branch practice.

Question. Do you commit to appear before this committee upon request?

Answer. Yes, with the understanding that any such appearance would be organized through the Department of State’s Bureau of Legislative Affairs and conducted in accordance with long-standing Department and Executive Branch practice.

Question. Do you commit to report to appropriate authorities, including the FBI, Inspector General, and Congress, any credible allegations of foreign interference in U.S. elections?

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

Question. Do you commit to report to appropriate authorities, including the FBI, Inspector General, and Congress, any attempts by foreign or private individuals to improperly influence U.S. foreign policy, particularly if you have reason to believe those efforts are adverse to U.S. interests?

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

Question. If you become aware of any suspected waste, fraud, or abuse in the Department, do you commit to report it to the Inspector General or other appropriate channels?

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

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

Answer. Advancing the cause of human rights and democracy has been an animating principle in my career. I worked to establish a just and impartial judicial system in Iraq to promote the rule of law and the equal protection of all Iraqis. In my work to conceptualize the Free & Open Indo-Pacific Strategy, key pillars included a focus on strengthening democratic governance in the region. In my time working for Sen. Cotton, I'm proud that I assisted him in drafting the original Hong Kong Human Rights & Democracy Act to protect the unique identity and liberties of Hong Kongers. That bill—largely unchanged since Sen. Cotton introduced it—was passed unanimously by Congress and signed into law by the President.

Question. What issues are the most pressing challenges to democracy or democratic development that are under the jurisdiction of the United Nations? These challenges might include obstacles to participatory and accountable governance and institutions, rule of law, authentic political competition, civil society, human rights and press freedom. Please be as specific as possible.

Answer. Violations of human rights are a chief impediment to sustainable democratic development and those who commit human rights violations remain a menace around the world. Threats to religious liberty and property rights, among others, undermine fundamental freedom and human dignity, and often these threats cut across borders and negatively affect regional stability.

The Security Council is an appropriate forum to deal with human rights abuses and violations. Such violations are often not only the byproduct of conflict, but a bellwether for it. The Security Council should continue to address human rights through reporting on peacekeeping and special political missions, sanctions, and dedicated sessions on the worst human rights situations. It should also consider the connection between human rights and security more broadly. If confirmed, I will increase efforts to ensure that U.N. peacekeeping missions and special political missions continue to improve their efficiency and efficacy in fulfilling their mandates to protect civilians and monitor and report on violations and abuses of human rights.

Question. What steps will you take—if confirmed—to support democracy promotion at the United Nations? What do you hope to accomplish through these actions? What are the potential impediments to addressing the specific obstacles you have identified?

Answer. If confirmed, I will continue U.S. democracy promotion efforts at the United Nations through high-level engagements, coordination with partners, and messaging aimed at promoting democracy. The United States works very closely with civil society representatives and like-minded democracies, including European Union member states, Japan, Israel, South Korea, Canada, and Australia, in promoting democracy at the United Nations. This coordination and support manifests itself in all of the different U.N. fora, including in the Security Council, the Economic and Social Council (ECOSOC), and the General Assembly. The United States also remains a strong proponent of the U.N. Democracy Fund (UNDEF) as it

strengthens the voice of civil societies, promotes human rights, and encourages the participation of all in democratic processes.

There are many obstacles in furthering this goal at the United Nations, including the malign influence of Russia and the People's Republic of China in the Security Council and all other fora of the U.N. system. If confirmed, I will seek to continue the administration's efforts to push back against this problematic behavior. These efforts resist Russia and the PRC's attempts to use the United Nations as a tool to promote authoritarian ideologies and to advance narrow domestic agendas at the expense of the international system.

Question. If confirmed, do you commit to meet with civil society members, human rights and other non-governmental organizations in the U.S. and with local human rights NGOs, and other members of civil society at the United Nations? What steps will you take to pro-actively address efforts to restrict or penalize NGOs and civil society via legal or regulatory measures?

Answer. Yes, if confirmed, I commit to meet with members of civil society members, human rights and other non-governmental organizations in the United States, local human rights NGOs, and other members of civil society at the United Nations. The United States is committed to promoting the effective involvement of NGOs in the work of the United Nations and other international organizations, as evidenced by our active engagement as an elected member of the U.N. NGO Committee. The NGO Committee, which was established by ECOSOC in 1946, is charged with evaluating and recommending consultative status for NGOs that apply for accreditation to allow them to participate in and otherwise access U.N. bodies and events. The United States will continue to defend the right of civil society organizations to attend meetings and speak, where appropriate. In particular, I commit to ensuring civil society members, human rights groups, and NGO's have an active role briefing and engaging with the U.N. Security Council.

Question. If confirmed, do you commit to meet with democratically oriented political opposition figures and parties? What steps will you take to encourage genuine political competition? Will you advocate for access and inclusivity for women, minorities and youth within political parties?

Answer. If confirmed, I will use the platform provided by this position to uphold democratic values and support democratic institutions around the world, including through meeting democratically oriented political opposition figures. I will also continue the United States' strong track record of promoting women, minority, and youth participation at all levels of government, including in political parties. I stand by our commitment to advocate for their meaningful participation in political processes and to ensure their voices are heard.

Question. Will you and your team actively engage with U.N. counterparts on freedom of the press and address any government efforts designed to control or undermine press freedom through legal, regulatory or other measures? Will you commit to meeting regularly with independent, local press?

Answer. Yes. The United States has long championed freedom of the press and protection of journalists using relevant U.N. venues. If confirmed, I look forward to continuing that effort, which will include meeting with press as often as possible and appropriate.

Question. Will you and your team actively engage with civil society and government counterparts on countering disinformation and propaganda disseminated by foreign state or non-state actors?

Answer. Yes. Civil society plays a crucial role in highlighting the dangers of disinformation and propaganda. If confirmed, I commit to being engaged with civil society and member state counterparts to identify these threats and take steps to counter them.

Question. Will you and your embassy teams actively engage with U.N. counterparts on the right of labor groups to organize, including for independent trade unions?

Answer. Labor groups are important and credible voices in any vibrant civil society. If confirmed, I commit to being engaged in conversations about and with such groups at the United Nations.

Question. Will you commit to using your position, if confirmed, to defend the human rights and dignity of all people, no matter their sexual orientation or gender identity? What challenges do the lesbian, gay, bisexual, transgender and queer (LGBTQ) people face with respect to the work of the U.N.? What specifically will you commit to do to help LGBTQ people through your role at the U.N.?

Answer. Promoting, protecting, and advancing the human rights of everyone—including LGBTI persons—has long been and should remain the policy of the United States. If confirmed, I will support the Department’s efforts to protect LGBTI persons around the world from violence, criminalization, discrimination, and stigma. Although most issues related to LGBTI human rights fall outside the scope of the Security Council and the other work related to my specific duties, if confirmed, I will work to ensure that proper attention is given when situations before the Security Council implicate the human rights of LGBTI persons.

RESPONSES TO ADDITIONAL QUESTIONS FOR THE RECORD
SUBMITTED TO ALEX NELSON WONG BY SENATOR BENJAMIN L. CARDIN

Question. What are your most meaningful achievements to date in your career to promote human rights and democracy? What has been the impact of your actions?

Answer. Advancing the cause of human rights and democracy has been an animating principle in my career. I worked to establish a just and impartial judicial system in Iraq to promote the rule of law and the equal protection of all Iraqis. In my work to conceptualize the Free & Open Indo-Pacific Strategy, key pillars included a focus on strengthening democratic governance in the region.

In my time working for Sen. Cotton, I’m proud that I assisted him in drafting the original Hong Kong Human Rights & Democracy Act to protect the unique identity and liberties of Hong Kongers. That bill—largely unchanged since Sen. Cotton introduced it—was passed unanimously by Congress and signed into law by the President.

Question. Research from private industry demonstrates that, when managed well, diversity makes business teams better both in terms of creativity and in terms of productivity. What will you do to promote, mentor, and support your staff that come from diverse backgrounds and underrepresented groups?

Answer. If confirmed, I will seek every opportunity to strengthen diversity and encourage an inclusive, collaborative, and respectful workplace at the U.S. Mission to the United States.

Question. What steps will you take to ensure each of the supervisors at the U.S. Mission to the United Nations are fostering an environment that is diverse and inclusive?

Answer. If confirmed, I will cultivate actively a diverse and inclusive team, and mentor supervisors in steps toward that goal, including open and transparent communication, clear and equitable expectations, and respect for all.

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

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

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

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

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

Answer. My investment portfolio includes diversified mutual funds, which may hold interests in companies with a presence overseas, but which are exempt from the conflict of interest laws. My investment portfolio also includes security interests, including stocks, in companies, some of which may be based or have a presence overseas. I am committed to following all applicable ethics laws and regulations and remaining vigilant with regard to my ethics obligations.

CORRESPONDENCE SUPPORTING LT. GEN. DAYTON'S NOMINATION



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TESTIMONY
OF UKRAINIAN CONGRESS COMMITTEE OF AMERICA
SENATE FOREIGN RELATIONS COMMITTEE
NOMINATION HEARING FOR LT. GEN. KEITH DAYTON
AMBASSADOR-DESIGNATE TO UKRAINE

August 5, 2020
 Washington, DC

The Ukrainian American community is united in its support for the independence and territorial integrity of Ukraine. As Americans, we believe that a democratic and independent Ukraine is in the national security interests of the United States and consistent with our traditions of support for individual freedom and self-determination.

Mr. Chairman and members of the Senate Foreign Relations Committee, thank you for the opportunity for the Ukrainian Congress Committee of America (UCCA) to comment on the nomination hearing for Ambassador-designate to Ukraine, Lt. Gen. Keith Dayton.

The Ukrainian Congress Committee of America, an umbrella organization representing the interests of Americans of Ukrainian descent for 80 years, would like to express our community's gratitude to the Senate Foreign Relations Committee for your continued support in supporting Ukraine's territorial integrity, strengthening that country's reform efforts, providing desperately-needed security assistance to Ukraine, and enhancing the bilateral relations between the United States and Ukraine.

The UCCA would also like to take a moment to express the Ukrainian American community's gratitude for our troops on the ground in Ukraine that are providing essential modern training methods to its military personnel. We pray for our soldiers' heroic tasks and the speedy and successful establishment of sovereignty and territorial integrity in Ukraine.

BACKGROUND

In the context of U.S. geo-strategic interests, the current situation in Ukraine cannot be understood without recognizing its far-reaching consequences for the world's security dynamics. The Russian Federation's outright invasion of Eastern Ukraine, illegal occupation and annexation of Crimea, the neo-colonialist policy of expanding a "Russkiy Mir" ("Russian World"), not to mention the multi-vectored, political, economic, social, cultural, and religious aggression directed against Ukraine's sovereignty, is a direct security threat to the Euro-Atlantic community. As a result, Russia's behavior towards Ukraine is rightly viewed with alarm by our NATO allies, most particularly by those in Central Europe. It is understood to be a threat to the stabilizing transnational, trans-Atlantic security framework that first emerged in the years after the Second World War.

For the United States and its allies, the post-WWII collective security model delivered the space to develop economic growth at a pace that the world had never before seen. That security model consisted of not only sustained military dominance, but the continued spread of democracy, further generating greater peace and prosperity. Today, the security components that made America great are being called into question by old allies, while a new set of partnerships, developed after the fall of the Soviet Union, have increasingly emerged as the potential stabilizing partners the United States has been seeking. Most notably, countries within the Euro-Atlantic alliance are proving to meet or exceed NATO's minimum defense spending criteria.

Europe's largest country - Ukraine - is on pace to field Europe's largest military, with spending levels also exceeding NATO's minimums. Furthermore, Ukraine already stands as the only non-NATO partner to have contributed actively to all NATO-led operations and missions for the past 20 years. As we commemorated the 75th anniversary of the end of World War II in May 2020, nearly seven decades after the conclusion of that war, Russia's invasion of Ukraine in 2014 has resulted in over 13,000 people killed and over 1.5 million civilians displaced - the largest wartime displacement in Europe since 1945. The United States government has consistently supported Ukraine's sovereignty, independence, and the inviolability of its borders since Russia's invasion, declaring as official government policy to "assist the government of Ukraine in restoring its sovereignty and territorial integrity in order to deter the government of the Russian Federation from further destabilizing and invading Ukraine and other independent countries."

The Ukrainian American community looks to the United States to not only live up to its public and binding security guarantees to Ukraine, but to further develop this strategic relationship as a buffer against rogue nations threatening the collective security order. As such, we strongly believe that the security of the U.S. lies in the expansion of democracy and mutual security guarantees, not in the appeasement of an imperial state. U.S. support for Ukraine's territorial integrity and sovereignty, ensuring the non-use of force by other nuclear states, or the use of economic coercion as a hybrid weapon, will eventually see a decrease in U.S. international deployments as Europe's pro-democratic East steps up to repay the faith invested in them.

...

Over the past several years, Russia's aggression toward Ukraine constitutes a fundamental challenge to the post-World War II order in Europe and jeopardizes every member of the international community. Their illegal seizure of Crimea, is the most blatant violation of international law and order - specifically a violation of the Budapest Memorandum, its commitments under the CSCE Final Act, the 1997 bilateral Ukraine-Russia Treaty, the United Nations Charter, to name a few - and threatens global security while undermining the nuclear non-proliferation regime.

Although the United States responded appropriately to Russia's illegal behavior towards Ukraine by implementing sanctions against the NordStream2 pipeline (2019), the Crimean Declaration (2018), and the Countering America's Adversaries Through Sanctions Act 2017 (CAATSA), the United States must not be deterred in countering continuing actions that threaten European security and stability. The United States, as a signatory to the 1994 Trilateral Agreement, has an obligation to assist Ukraine in defense of its national security and territorial integrity and in its efforts to institutionalize democratic and economic reforms. The national security interests of the United States lie in the fulfillment of that obligation, and constitute the very foundation upon which the existing relationship between sovereign nations rests.

Thus, the Ukrainian American community urges the United States to take the following actions:

- ❖ Uphold a clear, unified, steadfast, and explicit commitment to Ukraine's sovereignty and independence by the United States and our European allies. Ukraine's territorial integrity is non-negotiable and any change to it cannot be discussed while parts of it are under threat and occupation.
- ❖ Reject all forms of recognition of Russian rule over the illegally-occupied Crimean Peninsula by adhering to objectives explicitly stated in the Crimean Declaration of July 2018;
- ❖ Demand the immediate withdrawal of covert and overt Russian forces and equipment from Ukraine and compliance with cease-fire agreements [prior to holding elections in Donbas, as per the Minsk agreement];

- ❖ Expand direct military assistance, including lethal defensive arms, naval and air force support, and additional military training programs;
- ❖ Continue the “*Open Door*” policy for eventual NATO membership for Ukraine by actively implementing the Enhanced Opportunity Program (EOP) for Ukraine;
- ❖ Maintain and strengthen targeted economic sanctions against the Russian Federation, including a possible ban on SWIFT banking, until it fully complies with its international obligations, including the Budapest Memorandum and Minsk agreement;
- ❖ Monitor and ramp up U.S. counter-narrative objectives to the Russian propaganda operation through the already-established Global Engagement Center (GEC);
- ❖ Freeze assets of, and deny visas to, elite Russians suspected of money laundering or involvement in the nefarious actions against the sovereignty of Ukraine; and,
- ❖ Enhance the U.S.-Ukraine Strategic Partnership to include comprehensive support of Ukraine's defense capacity, economic reform efforts, and foreign direct investment opportunities.

Recommendations:

It is clear that Ukraine is at a critical juncture in its true Euro-Atlantic integration. More than a year after Ukraine's presidential elections in May 2019, political parties are struggling to bring forth their issues to the electorate. It is essential that the international community, in particular the United States, remain actively involved and continue to advocate democratic principles and a strategic outlook for enhanced relations with that country. We have a chance to assist Ukraine maintain its sovereignty and territorial integrity, to be a strong, democratic nation with all the methods and technologies to continue self-improvement.

Nearly 29 years of Ukrainian independence have brought eight U.S. ambassadors as envoys of American diplomacy. These envoys have secured a lasting partnership between our two countries, and we believe that President Trump's recent nomination of Lt. Gen. Keith Dayton, a career military officer, will only enhance our cooperation/partnership with Ukraine. At this time when more opportunities exist for the advancement of U.S. strategic interests in Central Europe, Lt. Gen. Dayton will be a great asset, given his experience working in the region and current capacity as Director of the George C. Marshall European Center for Security Studies. The Ukrainian Congress Committee of America lauds the experience and commitment Lt. Gen. Dayton has shown in his years of service. Thereby, the UCCA supports the nomination of Lt. Gen. Keith Dayton as the next U.S. ambassador to Ukraine.

The Ukrainian American community praises the efforts and commitment of the previous U.S. ambassadors to Ukraine in ensuring that Ukraine develops into a truly democratic state grounded in international norms and principles of independence, sovereignty, and territorial integrity, ensconced in a prosperous market economy. It is our hope that Lt. Gen. Keith Dayton will continue assisting Ukraine at this most important juncture of transformation into a state where people hold the power and elites serve and protect their interests.