

S. HRG. 107-781

**NOMINATION OF HON. JOHN D. NEGROPONTE
TO SERVE AS U.S. AMBASSADOR TO THE
UNITED NATIONS**

HEARING

BEFORE THE

COMMITTEE ON FOREIGN RELATIONS

UNITED STATES SENATE

ONE HUNDRED SEVENTH CONGRESS

FIRST SESSION

—————
SEPTEMBER 13, 2001
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THURSDAY, SEPTEMBER 13, 2001

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

The committee met, pursuant to notice, at 11:08 a.m. in room SD-419, Dirksen Senate Office Building, Hon. Joseph R. Biden, Jr. (chairman of the committee), presiding.

Present: Senators Biden, Sarbanes, Feingold, Wellstone, Boxer, Bill Nelson, Helms, Lugar, Hagel, Frist, Chafee, Brownback, and Enzi.

The CHAIRMAN. The hearing will come to order. Today the committee meets under what I think could accurately be described as most unusual circumstances, one of the most unusual circumstances this committee has ever convened a hearing.

We apologize, Mr. Ambassador, for not being able to go forward with your hearing yesterday. Quite frankly, I thought it would be inappropriate to do that. It is important we move forward. We thank you for your cooperation, and I see you have a friend, John McCain, and I am told Ambassador Holbrooke may not be able to make it down from New York and will not be able to. But believe me, he has been in contact with all of us as only Holbrooke can be. And I say that with affection and respect, but he is a pain in the neck.

A brilliant pain in the neck, but a pain in the neck.

Today the Committee on Foreign Relations meets to review the nomination of Ambassador John Negroponte to be the U.S. Representative to the United Nations. It is unfortunate that the United States has been without an Ambassador to the United Nations since Ambassador Holbrooke left office on January 20. Lengthy review of this nomination both by the executive branch and the Senate has contributed to this extended vacancy.

President Bush had announced his intention to nominate Ambassador Negroponte on March 6, but he did not submit the nomination until May 14. In other words, it took the President nearly 4 months to submit the nomination to the U.N. post.

The committee has worked as quickly as possible to review the Ambassador's nomination, but is determined that it is important to review certain issues related to Ambassador Negroponte's tenure in Honduras which have come to light since his last confirmation in the Senate in 1993.

On May 3, more than a week before the nomination was submitted, the Democratic members of the committee wrote the President to request his assistance in making available certain documents relating to Ambassador Negroponte's tenure as Ambassador to Honduras. On May 8 the committee provided the administration with a list of requests. Although two document requests were made subsequently, the original request was not fulfilled until late July.

At that point the committee offered to begin hearings on the nomination during the week of July, with another hearing to follow in early September because we were going out of session in August. The administration was given a choice and opted to wait until September, which I think was the wise thing to do, for the start of the hearings.

In the meantime, the committee has requested that the executive branch declassify certain documents related to Ambassador Negroponte's tenure in Honduras in order to permit the committee to discuss these issues in open session. Ambassador Negroponte is an accomplished diplomat with 37 years of experience in the Foreign Service. He has served as Ambassador to three countries—Honduras, Mexico, and the Philippines—as well as Assistant Secretary of State for Oceans and the Environment. He has been confirmed by the Senate a total of five times.

This distinguished record of service provides an important starting point for reviewing the nomination. Without question, Ambassador Negroponte has the background and experience required to serve in the United Nations. Senators will undoubtedly take this entire record of service into account in considering the nomination.

But there are important questions the Ambassador must answer with regard to his service in Honduras in the early eighties. These questions will be raised now, more than 15 years after the fact, for a simple reason: Since Ambassador Negroponte was last confirmed by the Senate in 1993, substantial information about the U.S. policy in Honduras in the early eighties has been put into the public record which has raised questions about Ambassador Negroponte's actions in the post and his testimony before the Senate following that assignment.

In 1995, the Baltimore Sun published a four-part series about human rights abuses committed in Honduras and by the Honduras military during that period and the knowledge of the U.S. Government, particularly the Central Intelligence Agency, of these abuses. That series prompted the CIA to conduct internal reviews in that period, a study performed by a specially formed working group and then reviewed by the CIA Inspector General.

The committee staff has examined both reports in full, as well as selected intelligence reports produced by the CIA and the Defense Intelligence Agency. The committee has also examined a select group of cables and memoranda from the files of the State Department and the U.S. Embassy in Honduras. The committee has not, I should emphasize, undertaken a comprehensive review of every cable produced by the U.S. Embassy in Honduras in the early eighties. That task shall be left to historians. Rather, the committee has examined two related issues reviewing this select group of documents.

The first issue the committee has reviewed is the extent to which the Embassy was aware of and was reporting on human rights abuses committed by the Honduran military in the early eighties. These abuses include disappearances, kidnappings, torture, and extrajudicial killings. The committee's focus has been on this question: Did Ambassador Negroonte, as some have alleged, seek to limit reporting by Embassy officials on human rights abuses, not only in routine cables, but in annual reports to the Congress on human rights policies?

Second, the committee has reviewed the record regarding human rights abuses in Honduras and the Embassy knowledge thereof in light of the testimony given by Ambassador Negroonte to this committee during his confirmation hearing in 1989 and in light of an interview given by Ambassador Negroonte to the staff of the Senate Intelligence Committee that same year.

In his testimony before this committee, the Ambassador indicated that he had seen "no convincing substantiation" that a certain unit of Honduran military known as Battalion 316 had engaged in death squad type activities. In his interview with the staff of the Intelligence Committee, Ambassador Negroonte made certain assertions about the degree to which he had been informed of human rights matters by various elements of the Embassy staff. The committee focus has been on this question: Did the Ambassador testify fully and accurately to Congress?

I apologize for the length of this statement, but I thought it important to review the events leading up to this day and to frame the committee inquiry. I want to publicly thank Secretary Powell, Deputy Secretary Armitage, the chairman, Senator Helms, and the State Department for its cooperation and having cooperated fully with the committee requests for documents and information.

I want to thank the nominee for his cooperations and his patience. As we all know, the difficulty in that the agency, the CIA, is reluctant to declassify their first names, and that is the nature of the institution and I understand it and I respect it. But it was not because the State Department was not pushing for declassification of the documents we needed and it was not that there was not support for the declassification, and I want to make it clear Ambassador Negroonte has cooperated throughout this process.

So he has sat for lengthy interviews with our staffs. He has responded to numerous written questions, always in a timely manner, and I appreciate it.

Now let me turn to Senator Helms for an opening statement and then we will, with the Senator's permission, get under way.

Senator HELMS. Thank you, Mr. Chairman.

It goes without saying that the disasters in New York and at the Pentagon this past Tuesday emphasize the urgency for scheduling this hearing and I am grateful to you, Mr. Chairman, for scheduling it this morning. President Bush needs and deserves every possible member of his senior foreign policy team in place to deal with the perpetrators of the murders of thousands of Americans this week. The President needs and deserves to have in place at the United Nations his nominee to be U.S. Ambassador to the United Nations.

It is critical that the United States be able to respond to Tuesday's double dose of horror, first in New York, followed almost immediately by the Pentagon in Washington, as everybody knows. Because the U.S. Ambassador to the United Nations plays, whoever he or she may be, such an important role in communicating with our friends and allies, it is urgent that he be at his post as soon as humanly possible.

Now then, in addition to responding to Tuesday's acts of terrorism, the administration also faces a full agenda at the United Nations, including: one, U.N. conferences run amok; two, Iraq's defiant despotism; three, the ongoing attacks, both physical and rhetorical, against the Middle East's only democracy, Israel; and four, locking in and extending the U.N. management reforms negotiated by Ambassador Holbrooke, whom we had expected to be here this morning, but I can understand why he cannot make it.

Now, this nomination has been stalled by debates about policy and Central America 20 years ago. We are obliged to change our focus to today's obvious and very real threats by confirming John Negroponte, who is an experienced Foreign Service professional, and we ought to do it without further delay.

This is a sad week for everybody, but I welcome the Ambassador to the committee and the opportunity to discuss very serious challenges, particularly terrorism, facing the United States around the world today.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Let me just briefly explain for my colleagues the binder that is sitting in front of every Senator. We have put together a binder of materials which contains a select group of documents. Several of the questions which may be asked relate to these documents. So if a Senator makes reference to a particular number, they should turn to the appropriate tab in that binder. Ambassador Negroponte also has the same binder in front of him.

The first few items in the binder are styled "Stipulations." As colleagues know, we sought declassification of certain materials from the CIA and, after my discussions with George Tenet, the Director of the CIA, we agreed we would not seek the final declassification, but we would agree that he would stipulate to certain facts without any declassification, but it would have similar effect.

The majority staff drafted stipulations and submitted them to the CIA. The CIA then revised these proposals and the documents that is before the committee are those which the CIA sent back to the committee.

[The material referred to follows:]

STIPULATIONS FROM INTELLIGENCE REPORTING CABLE

1. Information summarized in 1995 indicates that during the early 1980's, the Public Security Forces in Honduras (FUSEP) had a special unit involved in countering domestic subversive movements. In addition, from 1980-1984, the National Directorate of Investigation (DNI), a unit of FUSEP, maintained a secret unit known as the Honduran Anti-Communist Liberation Army (ELACH). ELACH's operations included surveillance kidnappings, interrogation under duress, and execution of prisoners who were Honduran Revolutionaries. ELACH reportedly maintained an informal liaison with members of the special unit of the Public Security Forces in Honduras.

2. In April 1983, based on the recommendation of a joint U.S./Honduran Military Seminar, the Honduran Military resolved to convert the FUSEP Special Unit and place it under the supervision of the Military Intelligence Division of the Armed Forces General Staff. This occurred in early 1984 and the unit was renamed the Military Intelligence BN.

3. From late 1980 to circa 1983, the United States Government maintained contact with the command structure with the objective of assisting in the creation of an effective mechanism to counter the growing threat from domestic subversive movement and from regional organizations operating in Honduras with links to the Sandinistas and Cuba.

4. The Military BN was dissolved in September 1987.

STIPULATIONS FROM CIA INSPECTOR GENERAL REPORT

1. Congressional and National Security Council (NSC) interest in the *Baltimore Sun's* allegations prompted then-Director of Central Intelligence (DCI) John M. Deutch to direct that a review be conducted of all CIA files to determine CIA's role in Honduras and whether its personnel were linked to human rights abuses there from 1980 to 1995. The Honduras Working Group was established in July 1995 to conduct this review and published its final report in August 1996. Based upon the written record, selected interviews that were conducted by the Office of Personnel Security (OPS) on behalf of the Honduras Working Group, and responses to questionnaires that the Honduras Working Group prepared and distributed to 34 CIA officers in an attempt to resolve several issues, the review resulted in the following findings:

- There is no information in CIA files indicating that CIA officers either authorized or were directly involved in human rights abuses;
- The Honduran military committed hundreds of human rights abuses since 1980, many of which were politically motivated and officially sanctioned;
- CIA reporting linked Honduran military personnel to "death squad" activities;

2. In the early 1980's, the U.S. Government provided assistance to several Honduran military units.

3. Reporting indicated that a number of people from these Honduran units were involved in human rights abuses from 1980 to 1996.

4. The CIA's record in reporting human rights abuses was inconsistent. In some cases, reporting was timely and complete. In other cases [excised text] information was not reported at all [excised text] or was mentioned only in internal CIA channels and not disseminated to other agencies;

CIA reporting to Congress in the early 1980's underestimated Honduran [excised text] involvement in abuses. By the mid-1980's, CIA provided more detailed information to Congress, but some of the notifications were inaccurate.

5. Cooperation with Honduran military units provided access to significant information about the Honduran military and its activities.

6. In July 1983, a small (96 member) group associated with the Central American Revolutionary Workers Party (PRTC) entered the Olancho Department of Honduras from Nicaragua. In August 1983, the Honduran military became aware of their presence. The guerrilla group was quickly overwhelmed by the Honduran military in August and September 1983, and its leader (Reyes Mata) was captured and killed. The Honduran military operation was followed closely by the U.S. Embassy and reported in the local media.

7. The U.S. Government had advance intelligence information indicating a possible Central American Revolutionary Workers Party military operation.

8. In late September 1983, the U.S. Embassy became aware that a U.S. priest, Father James Carney, who had been traveling with the guerrilla group, was missing, and began an investigation. Ambassador Negroponte and senior Embassy staff met with the Carney family on September 28.

9. In September 1983, Ambassador Negroponte requested additional analytical assistance from the U.S. Government about the Olancho Guerrilla movement, including U.S. participation in the debriefing of deserters and captives.

10. Subsequently, Ambassador Negroponte urged Embassy personnel to exploit the failure of the guerrillas from a broader regional standpoint.

11. In October 1983, U.S. intelligence prepared reports regarding information it had received about the capture and summary execution of as many as nine Central American Revolutionary Workers Party guerrillas. Dissemination of these reports was limited because of Ambassador Negroponte's concern about leaks. This information regarding the reports of guerrilla executions was reported to the President in October 1983.

12. In early November 1983, after receiving the intelligence reports on the guerrilla executions, Deputy Assistant Secretary Craig Johnstone wrote Ambassador Negroponete and urged that he demarche General Alvarez regarding this matter. Negroponete met with Alvarez, who denied the reports. Negroponete reported back to Johnstone by letter. He noted the conflict between the intelligence reports and General Alvarez, raised questions about the reliability of the sources upon which the reports were based, and therefore urged that the United States not pursue the specific matter further with Alvarez.

13. In an interview with CIA Inspector General, Ambassador Negroponete recalled as follows:

Former U.S. Ambassador to Honduras Negroponete describes three significant concerns that were dominant throughout his assignment in Honduras. First, regional instability affecting Nicaragua, El Salvador, and Guatemala. In this context, he says attempts were made to keep Honduras on an even keel by providing large amounts of economic and military assistance. A second concern related to the Sandinistas in Nicaragua and was being addressed by U.S. assistance to the Contras. The third concern was that the United States was attempting to promote democracy in Honduras after the 1981 presidential election; the first in nine years.

Negroponete indicates that there were instances of human rights abuses in Honduras and that he used diplomatic channels—calling on President Suazo, the Foreign Minister, or the Commander-in-Chief—to address them when they arose. Additionally, the Embassy used “quiet diplomacy” to suggest methods, such as the Administration of Justice Program, to prevent future abuses and ensure proper treatment of prisoners. Negroponete, although not justifying human rights abuses, says he believed Honduras had a much better human rights records than its neighboring countries.

Negroponete states that Defense Attache Office and the Political Section had reporting responsibility for the Olancho Operation. Additionally, [excised text] was expected to provide information [excised text]. There were no contemporaneous complaints, says Negroponete, regarding the absence of reporting on the Olancho insurgency. The insurgency was viewed as a threat to the security of Honduras and as a precursor of additional attempts to invade the country.

Negroponete says he became aware of the two CIA Sensitive Memoranda regarding prisoner executions via Johnstone’s November 2, 1983 correspondence. He indicates that Johnstone used a memorandum, not an electronic message, due to the sensitive nature of the information and was trying to prevent broad distribution in light of the volatile political environment concerning Central America. After confronting Commander-in-Chief Alvarez and hearing his denials, Negroponete says he harbored doubts over the accuracy of the reports of executions and recommended that the situation be closely monitored for future developments. If additional credible information were received, the matter would be revisited in order to take further action.

Negroponete believes [excised text] personnel were concerned about human rights and notes that the Embassy was probably the busiest in the world and was focused on a variety of regional issues. At no time, says Negroponete, did he suggest [excised text] that it not report on a subject.

At the time of the insurgency, Negroponete states that Father Carney’s citizenship was unclear, but the Embassy vigorously pursued details of his fate as if he were a U.S. citizen. After Carney’s family made inquiries at the Embassy, he says the Consul General was assigned the task of investigating the circumstance surrounding the priest’s disappearance. After the Consul General interviewed the captured insurgents, Negroponete recalls that the Embassy became convinced that Carney had died of natural causes due to the lack of nourishment. No information was obtained that indicated that the priest had been executed.

Commander-in-Chief Alvarez was ousted from his position in March 1984. Thereafter, Negroponete recalls, disappearances stopped, human rights concerns diminished, and issues relating to possible abuses committed during the Olancho Operation no longer required monitoring.

14. In November 1983, a reliable source reported that a member of the Honduran military had shot guerrilla leader Reyes Mata and that Commander-in-Chief Alvarez had probably been consulted.

15. On November 17, 1983, a draft report was sent to Embassy. The report was circulated to the U.S. Government the next day. The report specifically named the Honduran officer who killed Reyes Mata. It also indicated that Commander-in-Chief Alvarez was consulted before and after the execution. CIA headquarters indicated that the basic information in the draft report—that prisoners had been executed—could not be refuted.

16. CIA headquarters was made aware that Ambassador Negroponete was particularly sensitive on the subject set forth in the draft report and having been concerned

that prior intelligence reporting on the same topic might create a human rights problem for Honduras.

17. On November 25, 1983, Embassy Charge Shep Lowman wrote in an "eyes only" message to U.S. Assistant Chief of Staff General William Odom and Deputy Assistant Secretary of State Craig Johnstone concerning the Defense Attache Office comments on the draft report. Lowman wrote that the Defense Attache Office comments tended to contradict information in the draft, and that: "The subject matter, however, is so sensitive that we would urge that any further dissemination on this subject should be sharply limited and, as had been the case with previous [excised text] reports, by memorandum restricted to designated addressees only."

18. Ambassador Negroponete believes that the dissemination of intelligence from Tegucigalpa Embassy was not affected by Honduran support to U.S. [excised text] programs. He says the Embassy did its best to collect relevant information and follow up on details concerning the fate of the Olancho insurgents and believes that there was no complacency by any Embassy component in reporting on the Olancho Operation.

Negroponete says that he was out of the country from November 22 to 25, 1983 when discussions about the draft report were held within the Embassy. Negroponete believes that the sentiments attributed to him in the November 22, 1983 [excised text] report concerning the 1983 draft report are not accurate. Negroponete says that his position at the time was that it should be made certain that prisoner executions had occurred before taking further action such as publicizing the information or confronting President Suazo. He says he wanted to confirm details of the reported executions before the information was widely disseminated as it would become a significant political issue in Washington that could affect the [excised text] program. Negroponete says that his sentiments on the subject of executions are reflected in his November 18, 1983 response to Deputy Assistant Secretary Johnstone.

CIA WORKING GROUP REPORT STIPULATIONS

1. During the 1980-1984 period, the Honduran Military committed most of the hundreds of human rights abuses reported in Honduras. These abuses were often politically motivated and officially sanctioned.

2. Some Honduran military units received United States Government assistance. Information available to the United States Government indicated that some members of these units, and others, were linked to "death squad" activities such as killings, disappearances, and other human rights abuses.

3. As a result of United States policy countering Cuban/Nicaraguan communist-backed insurgencies in Central America, intelligence collection and reporting requirements on human rights abuses were subordinated to higher priorities.

4. Between 1984-1987 the FUSEP Special Unit was converted to the Battalion 316. These units were involved in similar counter-subversive activities.

5. As a result of a file review and other information available to the United States Government, some 250 alleged abuses of human rights were identified.

6. FUSEP Special Unit and Battalion 316 counter-terrorist tactics included torture, rape, assassination against persons thought to be involved in support of Salvadoran guerrillas or past of the Honduran leftist movement. Information available to the United States Government in the 1980's indicated that named individuals were abducted and killed by Battalion 316 and the FUSEP Special Unit.

7. "Death Squads" used tactics such as killings, kidnaping, torture, and clandestine abduction.

8. The United States was aware of one death squad in Honduras that operated between 1980 and 1984. It was known as the Honduran Anti-Communist Liberation Army (ELACH). Reports indicate that ELACH was responsible for the killings of a number of leftists during that period. This information was disseminated and was the focus of Congressional concern. Although promises were made to investigate and/or expand upon these initial reports, there is no written evidence that these promises were met.

9. Unsubstantiated information links Honduran Military Command and high-ranking government officials, with the ELACH.

10. The United States Government does not have sufficient information to definitively rule out the possibility that the Honduran military may have captured, interrogated, and killed Father James Carney.

11. It has been reported that some Honduran military records of human rights violations were destroyed in 1995 at the direction of the Honduran military command.

12. Information is available to the United States Government which linked the Chief of Honduran Department of National Investigations from June 1982 to Janu-

ary 1984 to the Honduran Anti-Communist Liberation Army "Death Squad" activities. The Government of Honduras dismissed this officer in 1984 after the death of a prisoner while in the custody of the Honduran Department of National Investigations.

The CHAIRMAN. Now, we have two very important and very senior Members of the U.S. Senate. I see that our usual practice is to go with the most senior Member, but I can see the former chairman of the Appropriations Committee and the ranking member is pointing to the Senator from Arizona. Since he still has a very important impact on appropriations, John, go first. I am not going to defy him.

STATEMENT OF HON. JOHN McCAIN, U.S. SENATOR FROM ARIZONA

Senator McCAIN. Thank you, Mr. Chairman.

I would ask that my written statement be made part of the record.

The CHAIRMAN. Without objection, it will be.

Senator McCAIN. Mr. Chairman, I will be brief. I know that this is going to be a very extensive hearing, so I will be very brief.

I happen to have known John Negroponte for many years. I visited him as he has had various diplomatic posts around the world. This will be the sixth time that this public servant has been confirmed by the U.S. Senate. I am confident that he will be confirmed. That is an unusual period of public service on the part of any American, of which he and his family, some of whom are here today, are very proud.

I am very proud of his service. I am very proud of his service in Honduras during a very difficult time in America's history. I was proud to have been named co-chairman of the Central American Observer Group by Senator Dole, and Senator Dodd was named by Senator Mitchell, which brought me to Central America on many, many occasions in the period of 1987 through 1990.

A lot of things happened in Central America. There are a lot of wounds that have not healed concerning Central America. But to somehow translate that into the service of this good and decent American does him a great disservice. Mr. Chairman, I know this man. I know his service, and I know that he would never countenance any improper behavior nor reporting of occurrences which the American Government should know about.

This appointment is long overdue. Events of the last 48 hours dictate that we have a good and qualified public servant at the United Nations as there will be many issues now that are of vital importance to the United States before the United Nations. I am proud to be here with this public servant. I am glad he is willing to serve.

I would add one note of caution. If we continue to put people through, particularly dedicated public servants, this kind of interrogation, this kind of guilt until proven innocent, we are going to have a lot of trouble getting people to serve.

I am proud that Ambassador Negroponte is willing to serve and I know he will serve this Nation with distinction and honor in New York.

I thank you, Mr. Chairman.

[The prepared statement of Senator McCain follows:]

PREPARED STATEMENT OF SENATOR JOHN MCCAIN

Mr. Chairman and members of the Committee, I appreciate this opportunity to introduce John Negroponte, a good man and a fine diplomat, as he prepares to assume his responsibilities as our Ambassador to the United Nations. I have had the privilege of knowing John since I visited him during his tenure as Ambassador to Honduras, where he did an excellent job under very difficult circumstances. John also distinguished himself during his service as Deputy National Security Advisor during the Reagan Administration, when he reported directly to then-National Security Advisor Colin Powell, and as Ambassador to Mexico during the first Bush Administration.

I must admit to a bit of family history as well: John knew my father when he was commander in chief of our Pacific forces. Vietnam had a way of absorbing the attention of our best and brightest: John served as a political officer at our Embassy in Saigon and worked for Henry Kissinger during the Paris peace talks.

I have the highest regard for John's service. Secretary Powell recently called him "one of the most distinguished foreign service officers and American public servants I have ever known." Ambassador Holbrooke has offered his strongest endorsement. John has served Democratic and Republican Presidents equally well over the course of his long career. I am pleased that he now stands ready to serve our country once again.

I know the Committee has investigated at length the question of human rights abuses by the Honduran military, and American policies in Central America, during John's tenure as Ambassador in Honduras. I can say that I was very impressed with the job John was doing when I visited him there. I also note John's confirmation by the Senate five times, including for his last posting as President Clinton's Ambassador to Manila.

We badly need John's leadership at the United Nations. Despite its many critics, among whom I occasionally include myself, the United Nations provides a critical forum for the quiet diplomacy that supports American engagement overseas. As we undertake our most concerted global campaign since the Persian Gulf War—that of rallying a coalition of free nations to defeat the terrorists who struck our homeland on Tuesday—I can think of few diplomatic assignments that are more important.

A national tragedy has befallen us, one that requires our best efforts against an enemy we have no choice but to defeat. We will do so, resolutely, in the name of our values and our people. Robust, skillful diplomacy will be critical to this mission.

I think we can all agree that there has rarely been a more pressing need for an outstanding public servant to represent our interests at the United Nations. John is that man. His country needs him; the challenge of his assignment is enormous, but he is ready. I commend his speedy confirmation to my colleagues and thank you for this opportunity to speak on his behalf today.

The CHAIRMAN. Thank you very much, Senator McCain.
Senator Stevens, welcome.

**STATEMENT OF HON. TED STEVENS, U.S. SENATOR FROM
ALASKA**

Senator STEVENS. Thank you very much, Mr. Chairman. I too would ask that my statement be printed in the record in full.

The CHAIRMAN. Without objection, it will be.

Senator STEVENS. I must say that I am here as a character witness. I have known John Negroponte for many years also and, because our wives got along very well, we became dinner companions on many occasions. I have visited with him in Honduras and so many other places.

But let me tell you, he goes back even further than that. At one time he was the Deputy Assistant Secretary of State for Oceans and Fisheries. He was very much involved in the negotiation on agreements with the Government of Japan to protect our Alaska salmon stocks. At that time he visited Alaska and me and my fam-

ily, and countless Alaskans have had their lives improved because of the dedication he gave to the agreements he negotiated.

He also has the ability to speak five languages. I still am in awe of anyone that can do that, Mr. Chairman. I do believe that at this time, as Senator McCain has said, John Negroponte is the right person to go to the United Nations to represent our country. I say so because of a personal relationship. It is not often I come before your committee—

The CHAIRMAN. That is true.

Senator STEVENS [continuing]. But I come before your committee today as a person that says that John Negroponte is a great American, a good family man, and the type of representative the we need at the United Nations today. So I urge you to approve him as soon as possible.

[The prepared statement of Senator Steven follows:]

PREPARED STATEMENT OF SENATOR TED STEVENS

Mr. Chairman:

Thank you very much, Mr. Chairman and Senator Helms. I do appreciate the opportunity to present to you my very good friend, John Negroponte, in support of his nomination to be the United States Ambassador to the United Nations. John and I have known each other since 1977 with his appointment as Deputy Assistant Secretary of State for Oceans and Fisheries Affairs with the rank of Ambassador. Because he handled several fisheries negotiations of vital interest to my state, John was a frequent visitor to Alaska. In 1978, John negotiated a breakthrough agreement with the Government of Japan which provided crucial protection for Alaskan salmon stocks from Japanese high seas fishing fleets. This agreement provided countless benefits to the Alaskan fishing community which endure to this day.

I have also had the pleasure of working with John in his subsequent assignments: as Ambassador to Honduras; as Assistant Secretary for Oceans and International Environmental and Scientific Affairs and as Ambassador to the Philippines. In each situation, I was able to witness first hand his ability to manage large and complex diplomatic missions and to observe his effectiveness and sensitivity in dealing with his foreign counterparts.

Educated at Yale, he speaks five languages fluently—something that I consider a true asset for this position.

Mr. Chairman, I believe President Bush, on the recommendation of Secretary of State Powell, has chosen extremely wisely and well in his selection of John to be our nation's representative at the United Nations in New York. Mr. Chairman, I also believe that at this point in time in our nation's history, it is vital to have John at the helm in New York—we will need his expertise to help guide us through the next few months. I can tell you without any question, this man is one of the most distinguished public servants that I have had the honor of knowing and I am confident that the United States will be well served by his confirmation.

The CHAIRMAN. Thank you very much, Senator Stevens. Your opinion is given great weight here and we appreciate it very much. Thank you.

I would also note that, as I said earlier, Ambassador Holbrooke wished to testify. We will allow his statement, in light of the fact he has been unable to get down from New York, be placed in the record in support of John Negroponte.

[The prepared statement of Ambassador Holbrooke follows:]

PREPARED STATEMENT OF HON. RICHARD C. HOLBROOKE

Mr. Chairman, distinguished members of this Committee:

I am deeply honored to appear before you again, for the second time this year, and for the first time before you, Mr. Chairman, in your new capacity as this historic Committee's new chairman. Before I turn to the matter at hand, allow me to thank each and every member of this Committee for the friendship, support and ad-

vice you have offered me over the many years that I have appeared before you, starting in 1997.

Today I appear before you to join two distinguished Senators in introducing John Negroponte to your Committee. It may seem unusual for someone to introduce his successor in a confirmation hearing, but it is not unprecedented—Secretary Shalala introduced her successor earlier this year, for example. In the present case, what brings me to this committee today is a friendship and professional association with John Negroponte that stretches back over thirty-seven years and three continents, and a strong sense that he will make a superb American representative to the United Nations—an indispensable institution that, while it has improved in recent years, remains flawed and in need of further reform. This is a subject on which this Committee has played a historically important role in the last few years under the leadership of Senators Helms and Biden, and I was a fortunate beneficiary and sometime collaborator with you in this long but still unfinished march. If confirmed, I believe John Negroponte will be a splendid and effective successor in this effort.

John and I met in 1964, when we were both young Foreign Service Officers in the Embassy. We became friends and tennis partners, part of a group of young American diplomats who would be profoundly shaped by the Vietnam experience. A few months into his tour, John returned home one night to find a drunken American seaman prowling his apartment with a knife, looking for more of the demon rum. This was not as unusual in those wild days in Saigon as it may sound today, but it *was* dangerous, and so, quite unexpectedly, John showed up at my house a few blocks away shortly after midnight, took the spare bedroom, and stayed for the next year. He made an excellent roommate. For the record, he was the neat one—Felix to my Oscar.

We both ended up in Paris in 1968 as part of the small American negotiating team under Averell Harriman and Cyrus Vance. John was the second best Vietnamese language speaker in the Foreign Service, and soon proved so indispensable to the negotiating team that, when the administration changed in 1969 (and I went on to another assignment), he was brought into the secret channels set up by Henry Kissinger, and worked closely on the negotiations that followed.

When I became Assistant Secretary of State for East Asian and Pacific Affairs under President Carter and Secretary Vance, it was natural that I would turn to John to be one of my deputies. After all, he was the neat one, and Southeast Asia, just after the fall of Saigon, was a mess. John took over the then just-emerging ASEAN portfolio, spent endless hours on the refugee crisis that hit the region in 1978-79 with the boat people and the overthrow of the murderous Pol Pot regime, and worked hard, and I believe successfully, to help rebuild America's position in Southeast Asia at a moment that—it is hard to recall now—our fortunes seemed at their lowest. In particular, his commitment to the refugee issue, which he shared with me, came from a burning sense that we could not walk away from the human beings whose lives were now at risk before the victorious Communists simply because they had believed in, and worked for, the Americans in Vietnam and Laos.

During the Clinton years, John and I continued to remain in close touch, although we did not work on the same issues. He and Diana did a fine job in the Philippines, and I was sorry when for personal reasons John turned down an offer from Secretary Albright to go to Greece as Ambassador. In New York, I saw him often, and he was a frequent visitor to the Waldorf Towers during my tenure.

Others have attested to his diplomatic skills. I think I know the United Nations system in all, or at least many, of its complexities. Especially after being ejected from the Commission on Human Rights and the shambles in Durban, our nation needs someone in the job who will be able to represent our entire nation and work closely with this Committee. I commend President Bush and Secretary Powell for having nominated a professional who has served with distinction, and in equal measure, Presidents and administrations of both parties in almost equal measure for over forty years, and I wish both you and him well as you proceed to consider his nomination.

The CHAIRMAN. Mr. Negroponte, I am going to do two simultaneous things. One is welcome you and two is do something very inappropriate. Secretary Powell is on the phone for me as we speak, so what I am going to do is, I apologize, I am probably not going to hear your opening statement and I am going to invite you to make whatever statement you want now and turn the gavel over to Senator Sarbanes if I may.

Please proceed. Understand why I am taking that call. Since he is going to be your boss, I guess in a way, or your co-conspirator in making sure our policies come to fruition, I think you will understand.

Ambassador NEGROPONTE. He will be my boss, Senator.

The CHAIRMAN. Well, I hope there is a degree of independence for the U.N. Ambassador.

Ambassador NEGROPONTE. I had a few minutes with him this morning.

The CHAIRMAN. Welcome.

Ambassador NEGROPONTE. Thank you.

Should I go ahead?

Senator SARBANES [presiding]. By all means.

STATEMENT OF HON. JOHN D. NEGROPONTE, OF THE DISTRICT OF COLUMBIA, NOMINATED TO BE THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS, WITH THE RANK AND STATUS OF AMBASSADOR, AND THE REPRESENTATIVE OF THE UNITED STATES OF AMERICA IN THE SECURITY COUNCIL OF THE UNITED NATIONS

Ambassador NEGROPONTE. Thank you. Thank you, Mr. Chairman, Senator Sarbanes, Senator Helms, members of the Senate Foreign Relations Committee.

I am honored to come before you today as the President's nominee to be the United States Permanent Representative to the United Nations. I am also grateful for the kind words of those who have presented me to the committee today, Senator Ted Stevens and Senator John McCain. Each is a good and special friend and I have greatly valued knowing them over these many years.

Richard Holbrooke, as has been mentioned, had planned to be here with us to introduce me in person as well. I spoke to him this morning. But because of the situation in New York, he was unable to make it. I know, as the chairman has said, that Dick has sent you a copy of his remarks. As Ambassador Holbrooke himself noted in his proposed statement, our friendship goes back almost 40 years, indeed to a defining stage in our respective diplomatic careers when we were both junior officers at the United States Embassy in Saigon. I think that, in addition to many other brilliant achievements of his career, I think Dick did a remarkable job as Ambassador to the United Nations.

Before I go any further, Senators, I would like to introduce my wife Diana, who is here with me this morning, and two of my five children: Marina, who is a sophomore at the University of Pennsylvania; and my son George, who is starting this year in the seventh grade at St. Alban's School. My three other children regrettably could not be with us today for a variety of reasons.

Senator SARBANES. We are very pleased to have your wife and the children here with us this morning.

Ambassador NEGROPONTE. Thank you.

Mr. Chairman, I first joined the Foreign Service in October 1960, which is almost 41 years ago. I am in proud possession of Foreign Service commissions signed by every President of the United States since Dwight D. Eisenhower. In addition, this is the sixth time, as

has been mentioned, since 1977 that I am appearing before this committee in connection with a nomination requiring confirmation by the U.S. Senate.

Despite numerous past senior postings, I am humbled as well as excited by the challenge this assignment represents and grateful for the confidence President Bush has shown in my abilities and experience by selecting me for this extraordinarily important diplomatic position.

I believe participation in the United Nations is essential to the advancement of the U.S. national interest. U.S. membership in the United Nations enhances our ability to exert leadership globally and to advance the ideals upon which our Nation was founded. Collectively, the United Nations represents one of the international community's best tools for uniting to restrain violators of international law, for helping to heal the wounds their crimes leave behind, and to advance the cause of human rights. The United Nations both needs and deserves consistent support from America, including full and timely payment of our dues.

Mr. Chairman, I am aware that serving as United States representative to the United Nations is an extremely demanding and complex task. It involves knowing the delegates from the other 188 countries, representing the U.S. position at sessions of the Security Council, the General Assembly, and other United Nations bodies, and dealing constantly with the U.N. Secretariat, so ably led by Secretary General Kofi Annan, with whom I would hope to develop a strong working relationship.

There are also, of course, many important non-governmental private sector and religious groups with a keen interest in the work of the United Nations. If confirmed, I intend to immediately set about establishing as good and effective relationships as possible with these various counterparts in New York. I believe in the importance of this kind of personal diplomacy.

In the same vein, I would observe that the administration can only carry out its programs and achieve its priorities for the United Nations in the closest of partnerships with Congress. Establishing a close and fruitful dialog with Congress on U.N. matters will be one of my highest priorities. So I hope you will keep your doors open to me. If confirmed, I would plan on being a frequent visitor to your offices and to this hearing room, and I would hope that you would visit New York as often as your busy schedules permit. I can assure you that I will respond to your interest in my mission with complete and sincere attention.

Now, Mr. Chairman, questions have been raised about my service as Ambassador to Honduras from 1981 to 1985. Our policy in Honduras during my tenure there was to support that country's return to democracy and to encourage the rule of law, including protection of human rights. I believe that I served honorably and conscientiously in a manner fully consistent with and faithful to applicable laws and policies. I also believe that my tenure in Honduras contributed to the eventual positive, peaceful and democratic outcome in Central America.

As a career Foreign Service officer for almost all of my adult life, it has been a working assumption and an article of faith that as a matter of course our professional mission is to represent the val-

ues, the ideals, and the traditions of America's political system. I have been guided by that commitment throughout my career and in New York I will work for the advancement of democracy, rule of law, and human rights around the world.

Mr. Chairman, the despicable and tragic acts of terror perpetrated in New York and Washington the day before yesterday dramatically underscore grave challenges to our fundamental values. The world of the 21st century, like the centuries before, remains a place of peril. But we do not face these challenges alone. All the civilized nations on Earth join us, and indeed already have joined us, in condemning these hideous crimes.

Through the United Nations we can and must work together to prevail over threats that confront us all. In this context, let me repeat what I said at the outset of this testimony. I fully appreciate the extraordinary importance of the diplomatic position to which I have been nominated and, if confirmed by the Senate, I undertake to do my utmost to uphold the confidence that the President, Secretary Powell, and yourselves shall have placed in me.

Thank you very much. I should have mentioned at the outset, Senator, I also have a longer statement which I would propose to introduce for the record and which has already been sent up to the committee.

[The prepared statements of Ambassador Negroponte follow:]

PREPARED STATEMENT OF HON. JOHN D. NEGROPONTE

Chairman Biden, Senator Helms, members of the Senate Foreign Relations Committee, I am honored to come before you today as the President's nominee to be the U.S. Permanent Representative to the United Nations. I also am grateful for the kind words of those who have presented me to the Committee today: Senator Ted Stevens, Senator John McCain and Ambassador Richard Holbrooke. Each is a good and special friend and I have greatly valued knowing them over these many years. In the case of Dick Holbrooke, as he himself noted, our friendship goes back almost 40 years, indeed to a defining stage in our respective diplomatic careers when we were both junior officers at the United States Embassy in Saigon.

Mr. Chairman, I first joined the Foreign Service in October 1960—almost 41 years ago—and am in proud possession of Foreign Service Commissions signed by every President of the United States since Dwight D. Eisenhower. In addition, this is the sixth time since 1977 that I am appearing before this committee in connection with a nomination requiring confirmation by the United States Senate. Despite numerous past senior postings, I am humbled as well as excited by the challenge this assignment represents and grateful for the confidence President Bush has shown in my abilities and experience by selecting me for this extraordinarily important diplomatic position.

Mr. Chairman, I believe participation in the United Nations is essential to the advancement of U.S. national interests. U.S. membership in the United Nations enhances our ability to exert leadership globally and to advance the ideals upon which our nation was founded. Over the years, the United Nations and its affiliated agencies, although imperfect like all human institutions, have striven to live up to the vision of their founders with some considerable success. Collectively they represent one of the international community's best tools for uniting to restrain violators of international law and helping to heal the wounds their crimes leave behind.

The past decade is replete with examples of the United States using its seat on the Security Council to secure collective action under Chapters VI and VII of the Charter to stabilize crisis situations or to counter threats. Indeed, with the end of the Cold War and the end to Soviet obstructionism, we have been better able to use the Council to address regional or intrastate conflicts. Activities undertaken as a result of Security Council decisions have played, and continue to play, a key role in containing Iraq, keeping peace in Cyprus, ending the war in Bosnia, and enabling the East Timorese to build an independent state, to name just a few examples.

Although we live in a world where national sovereignty remains predominant—and rightly so—we also live in a world that is in ever-greater need of effective in-

struments of voluntary collective action and expression. There are times and circumstances when individual countries cannot or will not individually address the world's problems. In such instances, broad multilateral efforts undertaken through the United Nations have served all of our interests well. UN sanctions against the Taliban movement in Afghanistan related to terrorist activities is one example. Peacekeeping efforts in Sierra Leone and the Congo are others. Indeed, renewed United Nations attention to the security and development needs of Africa has been one of the significant trends of the past decade; and one which I would expect to see continued.

UN peacekeeping missions help us contribute to international peace and security without necessarily committing U.S. troops; and they leverage scarce resources by enlisting valuable contributions to such missions by other members of the international community. Of the 43,000 United Nations peacekeepers deployed throughout the world today, only 44 troops are from the United States, all but one in observer status.

If promoting international peace and security is the UN's most important single priority, then surely humanitarian response cannot be far behind. UN agencies are working every day dealing with emergencies arising from man-made or natural disasters. From the strife in the Congo to the drought in Afghanistan, the United Nations is providing food, shelter, and health care to those who are truly the world's most needy. In Southern Sudan, one of the world's most urgent humanitarian emergencies, 11 UN agencies are working to avert starvation and in many cases, death, brought on by a war, brutality and economic collapse. The United States makes a substantial contribution to the work of these agencies via the leadership we provide and the resources, including personnel, we contribute.

We have shown similar leadership in encouraging the UN to combat the international scourge of HIV/AIDS. The recently concluded UN General Assembly special session on AIDS constitutes an historic step in terms of recognizing the gravity of this epidemic and mobilizing international action and concrete resources.

I would be remiss if I did not mention that considerable credit for this and for numerous other important UN initiatives is very much due to Secretary General Kofi Annan. In his first term he put the direction and management of the UN Secretariat on a sounder footing and we enthusiastically supported his re-election for a second term, where I know he will build on his already impressive record of achievement. I look forward to working very closely with Secretary General Annan and his colleagues.

The United States also derives substantial benefits from the activities of the United Nations organizations which set international technical and legal standards, by building consensus in areas as diverse as air safety and labor standards. It is a little-known fact that the language of international aviation is English as a result of UN efforts. The UN provides the means for the world community to bring those implicated in massive human rights violations to justice, as the International Criminal Tribunal for the Former Yugoslavia is currently doing in prosecuting former Yugoslav President Milosevic. In some cases these efforts have not been so successful, and I am hopeful that we will be mindful of the lessons learned as progress is made towards establishing the Sierra Leone Special Court and the tribunal in Cambodia.

Sometimes U.S. leadership must be exercised to put the brakes on an activity that is not likely to be constructive or, at worst, contrary to U.S. interests. Adroit use of the traditional tools of diplomacy is our best means of shaping outcomes. However, there are instances in which we must not shrink from threatening or actually using our power to veto, as we recently did when the Security Council was moving toward an unbalanced resolution which would have done more to enflame than calm the situation in the Middle East. Likewise, when the tenor and content of UN conferences appear to be moving irrevocably towards outcomes seriously prejudicial to interests of ourselves and key allies, we will not hesitate to disassociate ourselves from such results. As much as we might have liked to see through the recent UN conference against racism in Durban, South Africa, we felt obliged to terminate our involvement when it became clear that the proceedings had been overwhelmed by the negative rhetoric of recrimination and hate rather than infused, as we had initially hoped, by the constructive language of hope and reconciliation. As the Special Session on AIDS showed, UN conferences can achieve important, concrete objectives but not if every conference becomes a referendum on every controversial issue. While in New York I will work hard to keep the UN focussed on global needs and achievable results and resist the imposition of extremist agendas.

The United States has always led—and should continue to do so—in making the UN a sounder and more effective institution. We remain by far the largest financial contributor to the organization. And our participation is crucial as the UN develops

new capabilities, such as civilian police. The U.S. is now the largest provider of such "civpol" resources, with some 785 officers deployed to Bosnia, Kosovo, and East Timor. Since 1995 we have provided over \$200 million for U.S. civilian police.

Nowhere in recent history has our influence been more important than in the effort to support improvements in UN finances and management practices. With the momentum provided by Congressionally-supported targets, the United States in recent years has been able to initiate changes in the way the UN does business, helping to place the organization on a sounder foundation for the greater responsibilities it will face in the 21st Century. Continuing this important work, which we have begun together, will be one of my highest priorities. I am committed to fully achieving the benchmarks set forth in the Helms-Biden legislation.

At the same time, I believe that, as a founding member of the UN organization and as a nation which seeks to be a good citizen of this world, we should pay our dues in full and in a timely manner. I would submit, Mr. Chairman, that resolving the disbursement of the second tranche of \$582 million in Helms-Biden funds is an especially urgent matter. We need to get this done if possible before the upcoming UNGA. It is also important that the cap on our peacekeeping contributions be lifted, or we will incur even more arrears.

Mr. Chairman, I would like to say a few additional words about what I consider to be our priorities at the United Nations:

The first is *peacekeeping reform*. Peacekeeping is arguably the UN's most important, complex and often controversial activity. Last year significant strides were made in identifying areas for improving the UN's Department of Peacekeeping Operations. As a result of U.S. efforts, UN management is proposing both institutional changes and increased resources for critical areas. It is a good sign that both the membership and the Secretariat are now focused on the problem and working toward positive solutions.

Members of the Security Council who in the past have sometimes sought to mandate missions with insufficient regard to implementation are also now following-up to see how their general instructions are being carried out in practice. If I am confirmed as our Ambassador to the UN, I will pursue this careful supervision of peacekeeping missions. I plan to visit as many of these missions as possible so that I can ensure that the funds that the U.S. Congress provides are well and effectively used.

Another priority will be *humanitarian response*. As Deputy Assistant Secretary of State for Southeast Asia in the early '80's, I was strongly committed to relief efforts for the thousands of refugees in camps in the region. The United States had a central and invaluable role in this work, but I also learned then of the importance of concerted international action to deal with such massive human tragedies, I also gained a profound respect for the work of UN humanitarian agencies, especially the UNHCR and the World Food Program, other relief organizations such as the Red Cross, and the NGO's involved.

I also plan to keep the spotlight on *institutional reform*. Clearly much has been accomplished in this regard in the past few years, with the institutionalizing of the UN's internal oversight body, the adoption of results-based budgeting, the recent endorsement by the membership of major changes in human resource management and a number of other management initiatives. But this is an area that will continue to require our constant attention.

I am mindful of the recent GAO report which concluded that the United States is underrepresented in the staffing of UN organizations. I assure you that I plan to do my part to redress the imbalance.

There is a another issue that also needs attention. Over 200 UN civilian staff members have lost their lives in the line of duty since 1992. Some 240 others have been taken hostage or kidnapped. This is an unacceptably high level of risk for UN civilian employees. I pledge to continue work towards improvements in the security policies and practices of the UN organization.

Before I close, Mr. Chairman, I also would like to address several other issues with which the United Nations is dealing and where important U.S. concerns are at stake.

Our long-term efforts to work with other members of the UN to deal with the continuing threats posed by Iraq, the Taliban movement in Afghanistan, and other violators of international peace and security will, I can assure you, continue to be a major focus of our Mission's work, if I am confirmed. This holds equally true for the special needs of Africa, from stemming the tide of violence to routing the scourge of AIDS.

Mr. Chairman, our involvement in the United Nations cannot prosper unless it enjoys broad popular support across the political spectrum, both directly from the people through non-governmental organizations, such as the United Nations Association of the U.S., and through our elected representatives here in Washington. The

administration can only carry out its programs and achieve its priorities for the UN in the closest of partnerships with the Congress. I intend to work closely and effectively with this Committee and, indeed, both chambers of Congress. Some truly ground-breaking steps were taken and the stage has been set to move our collaboration regarding the United Nations to the next level. I can only say that I fully appreciate and recognize the importance of continuing to collaborate with you as we formulate plans and policies towards the United Nations. I hope you will keep your doors open to me so I can be a frequent visitor to your offices and to this hearing room; and, if confirmed, I extend to you an open invitation to visit New York as often as your very busy schedules in Washington permit. I can assure you that I will respond to your interest in my mission with complete and sincere attention.

Lastly, let me repeat what I said at the outset of this testimony. I fully appreciate the extraordinary importance of the diplomatic position to which I have been nominated. If confirmed by the Senate, I undertake to do my utmost to uphold the confidence that the President, Secretary Powell, and yourselves shall have placed in me.

Thank you.

SUPPLEMENTARY STATEMENT BY HON. JOHN D. NEGROPONTE ABOUT THE SITUATION IN HONDURAS DURING HIS TENURE AS AMBASSADOR TO HONDURAS FROM NOVEMBER 1981 TO MAY 1985

Mr. Chairman, I have a supplementary statement regarding my past service as Ambassador to Honduras in light of questions which have been raised about my tenure there.

First, I wish to affirm that I served honorably and conscientiously in Honduras in a manner fully consistent with and faithful to applicable laws, policies and professional standards. I was promoted very shortly after my service in Honduras and received as an immediate onward assignment another presidential appointment as Assistant Secretary for Oceans and International Environmental and Scientific Affairs.

Honduras at the time of my tenure as Ambassador was a country surrounded by trouble, with ongoing civil turmoil and political violence in all three neighboring countries: El Salvador, Guatemala and Nicaragua. Comparatively, Honduras enjoyed conditions of relative peace. Compared to its neighbors, Honduras was a more democratic country. It was in transition from military to civilian rule; there was a reasonably strong labor movement; discrepancies in wealth between rich and poor were not as great; and there was a free press.

Yet, there were serious threats to this relative tranquility: first, there was a significant build-up in Sandinista military forces in neighboring Nicaragua with support from various members of the Communist bloc; next there was a deteriorating security situation in El Salvador, with Communist FMLN forces supported in part by supplies infiltrated from Nicaragua through Honduran territory; third, there was a similarly conflictive situation in neighboring Guatemala; and, finally, offshoots of the Salvadoran FMLN intermingled with violent factions of the Honduran Communist party had begun to carry a number of alarming terrorist acts in Honduras. Also, there were close to 100,000 refugees from El Salvador, Nicaragua and Guatemala encamped on Honduran territory. These conditions were evolving against the backdrop of serious poverty and underdevelopment which characterized Honduras and indeed the entire region at the time. In a worst case scenario, the nightmare of Honduran authorities was the prospect of Communist forces taking over in both El Salvador and Guatemala in addition to Nicaragua. Under such circumstances, the future for Honduras would have been very precarious, to say the least.

Despite this challenging situation, Honduras pressed ahead with its transition from military to civilian rule. Elections were held for a civilian President in late November 1981, just three weeks after my arrival in Tegucigalpa, the first such election in nine years. Successful mid-term elections for Congress were held in 1983 and, as I was leaving Honduras in May of 1985, a vigorous campaign was underway for another presidential election later that year. To Honduras' credit there have been five such presidential elections since 1981 and another is scheduled just two months from now.

United States policy in Honduras during that time was to promote the return to democracy, which entailed free elections, respect for human rights and restoration of the rule of law. This was a continuation of the policies in effect well before I arrived there and, as a practical matter, I do not believe that the Reagan Administration policy with respect to democracy and human rights in Honduras was significantly different from that of the previous administration. Time and again during

that period, in official statements, in policy documents and even in my own evaluation reports, the consolidation of Honduras' fragile democracy was cited as our number one policy priority for that country.

Now, in pre-hearing questions I was asked what view I held at the time of the Honduran Government's human rights record and whether I held the same view today. My response was that given the turmoil and stresses in Central America during that period, Honduras' record in restoring democracy was a positive one. Having said that, I observed that in the early 1980's there were deficiencies in the Honduran legal system and administration of justice. This situation was compounded by inadequate resources and insufficient professionalism on the part of Honduran law enforcement authorities. This situation led at times to abuses of authority, some of them very serious, by Honduran police officials. But I did not believe then, nor do I believe now that these abuses were part of a deliberate government policy. I also noted that the Honduran press was free to speak out about these matters and did so with regularity.

How extensive were these abuses of authority and what did we do about them? Although we did not believe that illegal detention, torture, disappearances or assassinations were government policy, the Embassy was sufficiently concerned with problems in the administration of justice that we submitted a lengthy cable analyzing the Honduran criminal justice system within months of my arrival at post. At that time, the Embassy concluded that effective and equitable administration of criminal justice in Honduras was hampered by an archaic penal code; by a complex, ill-trained and overburdened judicial system and by a law enforcement system whose members, frustrated by light sentences and numerous loopholes, sometimes found it expedient to take extra legal means to ensure the punishment of known criminals. In November of 1982, one year after my arrival, I specifically raised the issue of what we considered to be inadequate judicial procedures and human rights violations of suspected terrorists with Honduras' President, Roberto Suazo, and the commander of the Honduran armed forces General Gustavo Alvarez, and I proposed that they consider an action program to improve the judicial system. There were follow-up steps in 1983, which ultimately led to revision of the Honduran penal code and establishment of a US government-financed administration of justice program. Throughout my tenure, the Embassy also maintained contact with local human rights groups, government officials responsible for human rights policies and families of alleged victims, among others.

It appears from contemporaneous Embassy reporting, including intelligence reports, and the annual human rights reports that abuses reached a peak in 1981, with a gradual decline of such occurrences over the next three years. This decline would appear to have been due to a variety of factors including transition from military to civilian rule, an eventually reduced terrorist threat, a change in Honduras' top military leadership and efforts to improve the administration of justice.

I think it is important to stress there was no effort on the part of myself or others serving the U.S. Government at the time to stifle reporting about human rights in Honduras, to cover up any credible evidence of human rights abuses which came to our attention, or to misrepresent the general picture with respect to the human rights situation in the country. Honest people may differ as to how good or bad the human rights performance of the Government of Honduras was at the time; but our reports and judgments were made in good faith, based on circumstances as we understood them and in the context of the broader Central American situation.

Secondly, I think it is fair to say that Honduras' human rights record compared favorably with neighboring countries. If there were 100 to 150 unexplained disappearances in Honduras from 1974 to 1984, I would point out that this was the number of disappearances being reported each week during the peak of the conflict in El Salvador. My understanding is that there was a total of some 50,000 to 75,000 disappearances in El Salvador during that civil war.

This is not to excuse any single abuse of a person's rights which might have occurred in Honduras. One human rights violation is a violation too many. But it does serve to put into perspective the relative level of abuse in those two neighboring states.

Finally, I would urge the Committee not to lose sight of that fact that we are talking about facts and circumstances which occurred almost 20 years ago, in an atmosphere of some considerable tension and controversy both here and in Central America. The Embassy's role was to carry out a complex and multifaceted policy set by Washington. It would be a distortion of reality to judge either events in Honduras or the performance of the U.S. mission through the exclusive prism of human rights considerations. The fragility of Honduran political and governmental institutions; the security concerns; the economic and social difficulties; and the threatening regional situation were important preoccupations alongside our interest in restoring

democracy and the rule of law. Just as we did not then have the luxury of pursuing one of these interests to the exclusion of all others; it would not be right now to revisit events of that period and judge them against only one of the many interests we were pursuing, indeed instructed to pursue, at the time. I believe these past events must be evaluated in light of the very complex reality of that period as well as the eventually positive peaceful and democratic outcome in Central America.

RESPONSE OF HON. JOHN D. NEGROPONTE TO AN ADDITIONAL QUESTION FOR THE RECORD SUBMITTED BY SENATOR GEORGE ALLEN

Question. Earlier this year, Richard Perle, of the American Enterprise Institute, and Richard Butler, former U.N. weapons inspector in Iraq, both testified before the Senate Armed Services Committee that economic sanctions against Iraq are ineffective in limiting Saddam Hussein's development of weapons of mass destruction. Secretary Powell has acknowledged that innocent Iraqi civilians are being hurt because of the sanctions. Also before the Armed Services Committee, Scott Ritter, former UNSCOM weapons inspector, stated: "We're killing 5,000 kids under the age of five every month [Mr. Ritter is quoting United Nations data]. People say Saddam's killing them, but, ultimately, sanctions are killing them, and we shouldn't be supportive of something that causes innocent people to suffer to such a degree." Given this evidence, do you support continued economic sanctions against Iraq?

The U.S./UK effort to revise Iraq sanctions appeared to be a retreat, with our side giving up much of the sanctions for little apparent gain. Why did we propose this option?

Answer. Our new approach on Iraq aims to re-focus international efforts where they belong: preventing the re-armament of Iraq under Saddam Hussein. That means we need controls on a specific set of goods. There is no benefit to sanctioning purely civilian trade with the Iraqi people.

We have support in the Security Council for this approach caused by a widespread perception that the current system harms the Iraqi people, while leaving the regime untouched. For example, four of the five permanent members of the Security Council—all but Russia—agreed in June on the Goods Review List, a key component of the new approach we advocate and an updates to the list of items that must be reviewed before export to Iraq is permitted.

The Russians blocked adoption of the resolution that would have begun the process of creating a new system. They did so to protect their commercial and political interests in Iraq, as they see them.

During the next few months, we will maintain the coalition for change we have created and look for ways to change Russian perceptions, so they will join that coalition, or at least allow the new system to come into being. If there is a new system of trade, we expect that it would improve the situation of the Iraqi people, while strengthening controls on the Iraqi regime. The bilateral effort with the Russians will begin this month when senior officials are in New York for the opening of the UNGA, and be followed by high level contacts in early October.

Senator SARBANES. Well, the full statements will be included in the record. I think in view of your Honduran service as Ambassador, you ought not to feel constrained by some time restraint from either delivering or delivering some parts of the supplementary statement to your opening statement. We can get into all of that in the questioning, but if you want to take some extra time right here at the outset in order to lay out the statement, I invite you to do so. If not, we will proceed to questioning.

Ambassador NEGROPONTE. Well, I am certainly prepared to follow that suggestion, if that is what you would like me to do, Senator.

Senator HELMS. I think you should.

Ambassador NEGROPONTE. Yes, sir.

As Senator Sarbanes mentioned, I have both a longer statement and then I added a supplementary statement concerning the situation in Honduras during my tenure.

Senator SARBANES. It is not the opening longer statement. I think we have that. It is the supplement. The reason that you are almost 4 months before the hearing was of course the effort on the part of the committee to get the classified material from the CIA and from the Department of State involving the Honduran situation. So that is what I think you want to address and, since you have the supplementary statement, I think you ought to proceed to take what time you need in order to lay that out.

Ambassador NEGROPONTE. Yes, sir. Thank you.

First of all, as you noted, Senator, I think that from the point of view of the State Department we have responded promptly, as promptly as we possibly could, to virtually every request that was made of us. We usually had a 24-hour turnaround in response to all your requests, and I grew to respect enormously the people who manage the records in the Department and their ability to be so promptly responsive to our many requests.

Perhaps I could—let me start by repeating what I said earlier. I believe that I served honorably and conscientiously in Honduras. Honduras at the time of my tenure as Ambassador was a country surrounded by trouble, with ongoing civil turmoil and political violence in all three neighboring countries: El Salvador, Guatemala, and Nicaragua. Comparatively, Honduras enjoyed conditions of relative peace. Compared to its neighbors, Honduras was a more democratic country and it was in transition from military to civilian rule. There was a reasonably strong labor movement and discrepancies in wealth between rich and poor were not as great and there was a free press.

Yet there were serious threats to this relative tranquility. First, there was a significant buildup in Sandinista military forces in neighboring Nicaragua, with support from various members of the Communist bloc. Next, there was a deteriorating security situation in El Salvador, with Communist FMLN forces supported in part by supplies infiltrated from Nicaragua through Honduras. Third, there was a similarly conflicting situation in neighboring Guatemala. Finally, offshoots of the Salvadoran guerrillas intermingled with violent factions of the Honduran Communist party had begun to carry out a number of alarming terrorist acts in Honduras.

Also, there were close to 100,000 refugees from El Salvador, Nicaragua, and Guatemala encamped on Honduran territory, and I think that is an interesting statement about Honduras at the time, the fact that refugees from the neighboring countries—El Salvador, Guatemala, and Nicaragua—were fleeing to Honduras. People were not fleeing Honduras to other countries, and I think it says something about the relative political climate and atmosphere in the respective countries.

These conditions were evolving against the backdrop of serious poverty and underdevelopment which characterized Honduras and indeed the entire region at the time. I think from the perspective of Honduras or for Honduran authorities in a worst case scenario their nightmare was the prospect of Communist forces taking over both in El Salvador and Guatemala in addition to Nicaragua.

Under such circumstances, the future for Honduras would have been very precarious, to say the least. Despite this challenging situation, Honduras pressed ahead with its transition from military

to civilian rule. Elections for a civilian President in late November 1981, just 3 weeks after my arrival in Tegucigalpa, the first such election in 9 years; successful midterm elections for Congress were held in 1983; and as I was leaving Honduras in 1985, preparations were being made for a Presidential election later that year.

I think, to Honduras' credit, there have been five such Presidential elections since 1981 and another is scheduled just 2 months from now.

The United States policy during that time was to promote the return to democracy, which entailed free elections, respect for human rights, and restoration of rule of law. This was a continuation of the policies in effect well before I arrived there and as a practical matter I do not believe that the Reagan administration policy with respect to democracy and human rights in Honduras was significantly different from that of the previous administration.

Time and again during that period, in official statements, in policy documents, and even in my own evaluation reports, the consolidation of Honduras' fragile democracy was cited as our No. 1 policy priority for that country.

Now, in prehearing questions I was asked what view I held at the time of the Honduran Government's human rights record and whether I held the same view today. My response was that, given the turmoil and stresses in Central America during that period, Honduras' record in restoring democracy was a positive one.

Having said that, I observed that in the early 1980's there were deficiencies in the Honduran legal system and in the administration of justice. This situation was compounded by inadequate resources and insufficient professionalism on the part of Honduran law enforcement authorities. This situation led at times to abuses of authority, some of them very serious, by Honduran police officials.

But I did not believe then, nor do I believe now, that these abuses were a part of a deliberate government policy. I also noted that the Honduran press was free to speak about these matters and did so with regularity.

How extensive were these abuses of authority and what did we do about them? Although we did not believe that illegal detention, torture, disappearances, or assassinations were government policy, the Embassy was sufficiently concerned with problems in the administration of justice that we submitted a lengthy cable analyzing the Honduran criminal justice system within months of my arrival at post. At the time the Embassy concluded that effective and equitable administration of criminal justice in Honduras was hampered by an archaic penal code, by a complex, ill-trained and overburdened judicial system, and by a law enforcement system whose members, frustrated by light sentences and numerous loopholes, sometimes found it expedient to take extralegal means to ensure the punishment of known criminals.

In November 1982, one year after my arrival, I specifically raised the issue of what we considered to be inadequate judicial procedures and human rights violations of suspected terrorists with Honduras' President Roberto Suazo and with the commander of the Honduran Armed Forces, General Gustavo Alvarez, and I proposed

that they consider an action program to improve the judicial system.

There were followup steps in 1983 which ultimately led to the revision of the Honduran penal code and establishment of a U.S. Government-financed administration of justice program. Throughout my tenure, the Embassy also maintained contact with local human rights groups, government officials responsible for human rights policies, and families of alleged victims, among others.

It appears from contemporaneous Embassy reporting, including intelligence reports and the annual human rights reports, that abuses reached a peak in 1981, with a gradual decline of such occurrences over the next 3 years. This decline would have appeared to have been due to a variety of factors, including transition from military to civilian rule, an eventually reduced terrorist threat, a change in Honduras' top military leadership, and efforts to improve the administration of justice.

I think it is important to stress that there was no effort on the part of myself or others serving the U.S. Government at the time to stifle reporting about human rights in Honduras, to cover up any credible evidence of human rights abuses which came to our attention, or to misrepresent the general picture with respect to the human rights situation in that country.

Honest people may differ as to how good or bad the human rights performance of the Government of Honduras was at the time. But our reports and judgments were made in good faith, based on circumstances as we understood them and in the context of the broader Central American situation.

Second, I think it is fair to say that Honduras' human rights record compared favorably with neighboring countries. If there were 100 to 150 unexplained disappearances in Honduras from 1974 to 1984, I would point out that this was the number of disappearances being reported each week during the peak of the conflict in El Salvador. My understanding is that there was a total of some 50,000 to 75,000 disappearances in El Salvador during the civil war in that country.

Now, this is not to excuse any single abuse of a person's rights which might have occurred in Honduras. One human rights violation is a violation too many. But it does serve, I believe, to put into perspective the relative level of abuse in these two neighboring states.

Finally, I would urge the committee not to lose sight of the fact that we are talking about facts and circumstances which occurred almost 20 years ago, in an atmosphere of some considerable tension and controversy both here and in Central America. The Embassy's role was to carry out a complex and multifaceted policy set by Washington. It would be a distortion of reality to judge either events in Honduras or the performance of the U.S. mission there through the exclusive prism of human rights considerations. The fragility of the Honduran political and governmental institutions, the security concerns, the economic and social difficulties, and the threatening regional situation were important preoccupations alongside our interest in restoring democracy and the rule of law.

Just as we did not then have the luxury of pursuing one of these interests to the exclusion of all others, it would not be right now

to revisit events of that period and judge them against only one of the many interests we were pursuing, indeed instructed to pursue, at the time.

I believe these past events must be evaluated in the light of the very complex reality of that period, as well as the eventually positive peaceful and democratic outcome in Central America.

Thank you.

Senator SARBANES. Well, thank you very much, Mr. Ambassador. I think it was important to lay that statement out on the record.

I will start off the questioning and we will proceed through the committee.

Senator HELMS. On what time limitation? Would 7 minutes be all right? We have a number of people here.

Senator SARBANES. Well, we will do 7 minutes, as the ranking member suggests, but of course with the opportunity for a second round if members so wish, because, as the Senator notes, we have got quite a number of members here. Is that generally acceptable, members of the committee?

I will begin my 7 minutes.

Senator BOXER. Mr. Chairman, can I just ask you and our ranking member, assuming we have to break for what I consider to be a very essential meeting at 12:30, we are going to come back to continue the questioning?

Senator SARBANES. My understanding is that Chairman Biden intends for the hearing to go as long as necessary in order for members to have the opportunity to ask their questions.

Senator HELMS. That is the general policy.

Senator BOXER. So we are not going to break?

Senator SARBANES. No, not now. Presumably we will break and return.

Senator BOXER. Fine. Thank you.

Senator SARBANES. As I understand it, that is a joint meeting of all members, so I would expect that at some point we would break for that and then come back.

Senator Helms is making the point, harkening back to his early experience. So we are going to try to move along so everyone gets an opportunity.

The New York Times has an editorial about this nomination headed "Questions About John Negroponte." The Los Angeles Times has an editorial headed "Knowing Negroponte's Role." Of course, the Baltimore Sun—and I intend to, obviously, address this—had a four-part series back in 1995 concerning the situation in Honduras, and I will obviously have some questions coming out of that series of articles.

Let me observe that as a consequence of the committee's efforts considerable material has been obtained from the Central Intelligence Agency and from the State Department. Much of it has been declassified and it will be placed in the record, so it will become available publicly and therefore is out for general consumption and also provides an opportunity for people to review it themselves as they confront some of these questions and draw their own conclusions.

Senator HELMS. Would the Senator yield?

Senator SARBANES. Yes.

Senator HELMS. Does this item indicate or imply that there was any wrongdoing by the nominee?

Senator SARBANES. Which item now are you referring to?

Senator HELMS. The item you referred to.

Senator SARBANES. These articles make some serious allegations, which I expect to give the nominee an opportunity to respond to here this morning—the newspaper articles—with which I am sure he is familiar.

Senator HELMS. One further question.

Has the committee staff already questioned you on this article, sir?

Ambassador NEGROPONTE. I had a 3-hour session with the committee staff and they covered an entire range of questions concerning my role in Honduras, and I believe that that was a very satisfactory meeting.

Senator HELMS. Well, Mr. Chairman, I do not want to infringe on your time, but I want to make sure that this nominee is not subjected to implicit charges in his role as Ambassador, unless we are going to do that for the Ambassadors to the Soviet Union during a difficult time and that sort of thing. I know this Ambassador as a friend and as an honorable man and I just do not want the implication to be in the media that this Senator thinks there is anything wrong with his character.

Senator SARBANES. I do not think asking the nominee about serious allegations that have been made with respect to his tenure as Ambassador in Honduras carries with it that implication. But I do think, since these allegations are out in the public forum—actually, we have been hearing from a number of people about them—may give you a flavor of the kind of communications we are receiving. I think it is incumbent that we hear from the nominee in response to them. That is one of the reasons I wanted him to read his supplementary statement, so he had an opportunity to lay out on the record his considered evaluation of the situation.

The Baltimore Sun in the summer of 1995 wrote a four-part series which initially focused on the existence of this Battalion 316 within the Honduras military, allegedly trained and supported by the Central Intelligence Agency. Actually, I think material has shown that there was a connection. Were you aware of this, of the existence of this battalion, when you went down there as Ambassador?

Ambassador NEGROPONTE. Senator, as I responded in a written question with regard to the so-called Battalion 316, my first awareness of the existence of the battalion by that name—and we can get into this because I am not trying to be fancy with my use of words here now. But my first awareness was when James LeMoyne of the New York Times was doing a story on human rights in Honduras in 1988 and I was asked at that time—I was the Deputy National Security Adviser and I was asked if I would talk to Mr. LeMoyne.

I did not speak to him directly, although I answered some questions through the National Security Council spokesperson. But I asked the CIA about Battalion 316 and was given a memorandum by the Agency at that time which advised me that that battalion was created in the beginning of 1984, either late 1983 or the beginning of 1984, which is well into my tenure in Honduras, and that

to the best of the Agency's knowledge at that time there had been no substantiation of any human rights, systemic human rights violations, being carried out by that unit.

Now, it is a little bit complicated and confusing because I think the term "316th" has become a kind of surrogate or proxy that a lot of people use to refer to human rights violations that they ascribe to Honduran Government authorities during the 1980's. There was—and my belief is that, to the extent these violations were being carried out, they were being carried out by the Honduran national police. I believe that they were the principal source of these kinds of violations.

The thing is that some people viewed the 316th as a successor to one part of the Honduran police force and have subsequently ascribed violations to the 316th.

But we did a search of all the cables that were written during the time that I was Ambassador to Honduras, from 1981 to 1985, and we could not find any references to the 316th Battalion. We have actually looked at the intelligence reporting from that period and if you look at the specific intelligence reports, and there are not that many, but where there is information about a possible violation of human rights by the Honduran authorities, they are not ascribed to the 316th Battalion.

Senator SARBANES. Now, Alvarez was the commander of the national police force, was he not?

Ambassador NEGROPONTE. Correct, he was commander of the police force in 1980, from 1980 to early 1982.

Senator SARBANES. Was it the view of the Embassy that the police force was engaged in human rights violations?

Ambassador NEGROPONTE. I believe I have commented in my replies to questions that, to the extent that violations were committed, I think that the principal perpetrators of these violations were the national police. In my statement I try to explain why I think it is that these violations were carried out.

I think our human rights reporting during the period, while perhaps not as detailed or as explicit as contemporaneous human rights reports might be—now, I am talking about the public, published human rights submission that is submitted to the Congress every year—might not have been as explicit as such reporting would be today. We make reference to arbitrary arrests, detentions, and even credible allegations of disappearances.

Senator SARBANES. Well, now that you have moved into that area, let me then ask a question in that regard. It is asserted in some of these articles and by others that the Embassy did not fully report the human rights violations that were taking place, that there was a mismatch between what was happening on the ground—and of course, this assertion assumes that as Ambassador you were aware of what was happening.

There are two questions: One, whether you were aware of what was happening; and two, if so, was there a mismatch in the reporting in that a much more cleansed or favorable picture was presented of the situation in Honduras than was actually the case? Could you address those issues?

Ambassador NEGROPONTE. I think first of all perhaps I need to address it in terms of what the sources of our information were,

Senator. I would say that, first of all, we had a political officer in the Embassy, or political officers, who were responsible for monitoring the political situation, including human rights, in that country.

We had contacts, as I mentioned in my statement, with local groups that followed the human rights situation. We had some, but not extensive, intelligence reporting on that subject, not because of neglect or intentional neglect, but just because that was not one of the intelligence reporting priorities.

But I guess the point I would make is—and of course there was press reporting. As I said earlier, the Honduran press was relatively free and robust and free to report on allegations of violations.

But if you are talking about evidence or hard information, I think that was not that easy to come by. In other words, we had a general sense of how things—what was occurring, and in some specific cases we had more detailed information. But it is not as if we had large-scale reporting and evidence and information with respect to the extent of these, of such violations as might have occurred.

Now, as far as whether we soft-pedaled or tried to obscure or restrain or stifle reporting of that kind, I do not believe we did that. I think the record of our reporting, the classified reporting much of which has come to the attention of the committee staff, will show that there were a number of instances where we either raised human rights, allegations of human rights violations, with the highest authorities in the country—the President, the commander in chief, and others—and where we expressed concern, not only about general policy issues such as the administration of justice, but there were times that we got into specific cases.

Senator SARBANES. Mr. Chairman, my time has expired. Thank you.

The CHAIRMAN. Thank you. Again, I apologize for having to leave. I am told there is a joint caucus lunch, Democrats and Republicans, to discuss an important matter, that begins at 12:30. My guess is we can trespass beyond 12:30 a little bit because people will be actually eating lunch, but at some point I suspect we are all going to be wanting to be at that joint lunch. So I just put us on notice we will probably have to go over into the afternoon here, which I thought we might have to anyway. But just to let everybody know.

Senator Helms.

Senator HELMS. Mr. Chairman, we missed you. It must have been some conversation.

The CHAIRMAN. Well, it was a conversation and then I had a conversation with Senator Hatch, and I used to be chairman of that committee and as I sat down as he accepted by voice vote an amendment I had he got up and left, and all of a sudden I was the chairman. I did not anticipate that happening. I apologize.

Senator HELMS. Before I do anything else, I want to thank you for making clear before you left the content of your book of documents. I think it is important to make clear for the record that the CIA did not prepare that information. Your use of the word “stipu-

lation," someone called my attention that this is not a courtroom and I think you want to change that.

The CHAIRMAN. Just for the record, Mr. Chairman, no disagreement: The CIA suggested the word "stipulation." That is how they wanted to handle this.

Senator HELMS. It makes no difference. We are still not a court. I do not care what the CIA says.

The CHAIRMAN. No, I just want you to know I did not make up the word.

Senator HELMS. I am not fussing at you.

Mr. Ambassador, I want to call you that. I have the pleasure of calling you that. The United Nations has among its members in good standing a number of nations which the State Department has designated as sponsors of terrorism. Is it your impression that the United Nations treats these pariahs as normal members of the world community?

The second question: Must not the nations of the civilized world formally shun terrorist nations which do not belong to sit among them at the U.N.?

Three, what do you propose to do, sir, to ostracize and punish those nations which direct or subsidize or harbor terrorists when you are confirmed?

Ambassador NEGROPONTE. Well, Senator, in reply to your first question, of course the United Nations has taken specific actions. There are Security Council resolutions against certain countries, such as the Taliban or Iraq, with respect to various violations of international law and threats to the international peace that they have undertaken. So I think that, especially in the current atmosphere, I think you are going to see great attention to that issue at the United Nations, just as we have elsewhere.

I think this is a good point at which to mention that yesterday both the Security Council and the General Assembly passed resolutions condemning international terrorism. It was the first resolution passed by the 56th General Assembly, which met for the first time yesterday. So the U.N. added its voice to those, to the voices already expressed by NATO, the European Union, the OAS, and other international organizations.

So I think in the tragic and difficult circumstances of the moment, I think we can expect the United Nations to play—we can hope and expect that it will play its part in helping to confront this situation. I am sure, as far as specific steps to ostracize countries further with respect to the response to the current situation, I think we have got to wait a little bit to see how things unfold.

But my sense of the situation in the State Department and the priorities of the President and of Secretary Powell is that there is no higher priority at the moment diplomatically than to build a strong international, global coalition to combat the scourge of terrorism.

Senator HELMS. The chairman, bless his heart, referred to—well, I think it was Senator Sarbanes who referred to a series of four articles. I think to balance that I have in hand letters from four people who served with you when you were Ambassador at the Embassy in Honduras in the 1980's, including Shepard Lowman—do you remember him?

Ambassador NEGROPONTE. Sir, he was my Deputy Chief of Mission. Yes, sir. He is in this hearing room.

Senator HELMS. And Theodore Wilkinson. He was your Political Counselor or something like that?

Ambassador NEGROPONTE. Yes.

Senator HELMS. And Sarah Horsey, she was the Consul General, I believe; and another government official at the time.

Anyway, these letters correct impressions left by the press, the liberal news media—and I classify a lot of them as that because that is what they are. They correct the misimpression left by those people and redacted versions of government reports that Ambassador Negroponte of limited human rights reporting.

The first one was Shepard Lowman, who wrote to the New York Times, and so forth. These four people wrote letters to the editor specifying the true details as they knew them when it happened and when the publication of the story occurred. I ask unanimous consent that these be made a part of the record.

The CHAIRMAN. Without objection, they will be.

[The material referred to follows:]

SHEPARD C. LOWMAN,
Fairfax, VA, June 19, 2001.

Letters to the Editor
New York Times (fax)
Subject: John Negroponte

DEAR SIRs:

Marc Lacey's June 14 article regarding John Negroponte's nomination to be Ambassador to the United Nations raises the question of whether or not Ambassador Negroponte "turned a blind eye" to human rights abuses by the Honduran military and police officials during his three-and-a-half year tenure as Ambassador in Honduras. As Deputy Chief of Mission in Tegucigalpa during most of that period, I was aware of no credible report of such abuses, which was suppressed. Indeed, the extra judicial treatment of Honduran detainees became the subject of discussion between the Ambassador and both the President of Honduras and the commander of its military forces.

Mark Lacey speaks of Central America as "ground zero in the cold war" during the time that Negroponte served in Tegucigalpa. He then notes as open questions, "whether he (Negroponte) was so determined to carry out United States policy that he turned a blind eye to human rights abuses in the region." Lacey's piece and other press comment on this issue implies that the United States' goal was to defeat the Sandinistas in Nicaragua and put down the revolution in El Salvador regardless of the cost in Honduras. This is not the framework in which the Embassy in Honduras viewed United States policy or its job!

Of course, we valued Honduran cooperation on a wide range of measures, which the United States took to deal with the conflict in Central America. But, of equal importance in our view was the strengthening and consolidation of the democratic process in Honduras itself. If we failed in this task, rather than helping to win the "cold war" in Central America, we would have stood by and watched the creation of another cancer in the Central American body politic. John Negroponte, a decent and deeply moral man, understood this very well.

And example: In 1981, Honduras had its first open and free presidential election in many years. As his term progressed, it became obvious that President Suazo desired a second term of office despite a constitutional limitation of the President to only one four-year term. Despite the importance of the President's cooperation on other issues, the Embassy made it privately but widely known that the United States would be much disturbed by any departure from the constitutional process.

Another: An important source of support to Honduras was from Economic Support Funds (ESF). These were basically budget support funds rather than being designated for a specific project. However, they came with certain conditions as to the economic performance of the recipient country. In 1984, the Ambassador asked me to chair the U.S. side at negotiations on conditions for the disbursement of \$147 million in ESF funds, mostly economic reform conditions recommended by the IMF and

resisted as politically difficult by the government. These discussions did not center on how much should the United States pay for Honduran cooperation on other issues? Rather, the question was how much political pain could the Honduran government be required to accept in implementing such economic reform measures before the process of democratization was placed in jeopardy? I never had it suggested to me that any other criteria should govern my negotiations.

Finally, Negroponte recognized the need for institutional reform to underpin the growing constitutional system in Honduras. Thus, in addition to responding to individual human rights abuses, the Embassy strongly welcomed and pressed for the implementation of a program to assist in remedying recognized deficiencies in the administration at justice in Honduras.

I first worked closely with John Negroponte when, as Deputy Assistant Secretary in State's refugee bureau, I was charged with implementing the Indochinese refugee program and Negroponte was responsible for Southeast Asia in the East Asia bureau. He was immensely helpful in this role and will bring great compassion and activism to the seemingly endless string of complex humanitarian emergencies with which our government has had to deal in recent years. His service as Assistant Secretary for Oceans, International Environmental and Scientific Affairs prepare him to deal with the many environmental issues that will face the international community. And, he brings very effective, low-key diplomatic skills to the job, which will serve our country well. He will make a fine Ambassador to the United Nations.

THEODORE S. WILKINSON,
Washington, DC, June 18, 2001.

Senator JESSE HELMS
*Ranking Minority Member, Senate Foreign Relations Committee,
450 Dirksen Senate Office Building,
Washington, DC.*

DEAR SENATOR HELMS:

As a former president of the American Foreign Service Association (AFSA), a current member-elect of AFSA's governing board representing retired members, and a close associate of Ambassador John Negroponte's. I'm writing to urge swift and favorable Foreign Relations Committee action on his nomination.

I'm sending you this letter for three reasons. One is that our country urgently needs a Bush administration permanent representative at the UN in New York. The reasons have been rehearsed at length in the press and I need not recite them here.

The second is that Ambassador Negroponte is a gifted diplomat who is right for the job. As a veteran myself of three years service in the US mission in New York, I know first-hand what the demands on our principal UN representative are. He must be an untiring and articulate team-builder, capable of sorting out political priorities from among the many competing demands from all branches and agencies in Washington. Negroponte's track record in Honduras, Mexico, and the Philippines shows that he has succeeded with similar challenges elsewhere.

The third reason—and the one that I'm perhaps best qualified to comment on—is that the questions that have been raised about his performance in Honduras are unwarranted. I served as political counselor with him in Honduras beginning in 1984, after a first tour in Mexico City explaining Mexican reservations about our Central American policies in reports to Washington (to the point where I'm told some people at home wondered whose side I was on!) Ambassador Negroponte not only accepted me as a senior officer on his team, but welcomed me as someone he could count on to express an independent point of view. This relationship of mutual respect continued through my next two Foreign Service tours, when I served as an office director with him in the OES Bureau in State, and as his minister-counselor for political affairs in Mexico City in 1991-92. I know John Negroponte very well, and the idea that he suppressed information or created a climate for suppression of information, as alleged in some news accounts, does not square with my experience with him.

In particular, I'd like to comment on the human rights reports that I had primary responsibility for submitting to Washington for final review during my tour in Honduras (1984-86). Admittedly these were toward the end of Ambassador Negroponte's 1981-85 tenure there, but the first one was approved by Ambassador Negroponte and cannot be said to pull any punches about reports of human rights violations. There are references throughout to disappearances of political activists, arbitrary arrests, and torture. Perhaps most important is a statement in the introduction that "President Suazo Cordova sent a letter to the Chief of the Armed Forces in which

he sought to underscore a national policy with respect to the observance of human rights.⁵⁹ This letter resulted from repeated urgings from Ambassador Negroponte, who can hardly be said to have been “insensitive” to the human rights violations of the Honduran armed forces.

I hope that the committee will take these points in consideration along with what I’m sure will be many other expressions of support for Ambassador Negroponte’s nomination to USUN.

Sincerely,

THEODORE S. WILKINSON.

SARAH R. HORSEY,
Washington, DC, June 18, 2001.

Honorable JESSE HELMS
*Committee on Foreign Relations,
United States Senate,
Washington, DC.*

DEAR SENATOR HELMS:

Regarding the nomination of John Negroponte as U.S. Ambassador to the United Nations, I enclose correspondence with the Los Angeles Times on recent articles they published about the death in the early 1980s in Honduras of Father James Carney and the allegations of shortcomings with regard to the Embassy’s inquiry into his death. As the Embassy officer most responsible for discovering what had happened to Father Carney, I was dismayed by the lack of balance in the L.A. Times reporting. I continue to believe that Father Carney died of exposure in the jungle as did many of those in the guerrilla column he was with, and that the Embassy did everything we could to help Carney’s family determine the circumstances of his death.

SARAH R. HORSEY, *Consul General,
American Embassy Honduras, 1981-1984.*

[Enclosures:] Letters of May 23, 2001 to Editor and Ombudsman of the L.A. Times.

Letter to the Ombudsman—Los Angeles Times, May 23, 2001 (fax)
Subject: Ambassador Negroponte’s nomination

The Los Angeles Times recent articles about John Negroponte’s role as US Ambassador to Honduras in the early 1980’s and his role in the death and subsequent investigation thereof of American citizen James Carney seem intent on provoking controversy for its own sake rather than informing the public. As the US Consul General in Honduras at that time I was responsible for welfare and whereabouts issues involving Americans and therefore the Father Carney case. Having personally led the US government effort to establish what had become of him at Ambassador Negroponte’s direction, I am dismayed at the smearing of the Ambassador’s reputation and by inference my own.

The Embassy heard about the participation of an American citizen in a column of guerrillas infiltrating Honduras from Nicaragua in late September 1983. Ambassador Negroponte immediately instructed me to look into the matter and find out everything I could about what had happened to Father Carney. I spent virtually all my time on this matter for weeks thereafter and intermittently until I left Honduras in the summer of 1984. I tried to track down all leads from whatever source—the surviving guerrillas, Honduran officials, private persons—even arranging for a trip by an Honduran Army helicopter to escort family members to the remote triple canopy jungle region in which he presumably perished. This gave me a firsthand appreciation of how even more physically fit and younger men than Carney (almost 60 at that time) died in the face of such difficult terrain and lack of food.

In 1983 The L.A. Times publisher commended the effectiveness of the Embassy resources brought to bear in the expeditious and professional handling of the investigation of the death in Honduras and the return of the remains to the USA of one of its own journalists, Dial Torgeson, in May 1983. It is ironic that, in 2001, The L.A. Times chose not to mention the far more time consuming effort applied to the Carney case, just months later, by the same officers, including Ambassador Negroponte and myself, and despite an extended interview I had with a L.A. Times reporter regarding our efforts on the Carney case. The L.A. Times’ reputation for objective reporting would have been better served by some acknowledgement of the

facts as we in the US Embassy understood them and of the fact that participation in a war, whether as an observer (Torgeson) or as a participant (Carney) is dangerous. It is even more disturbing to ponder whether the L.A. Times' new editor, John Carroll, recently transferred from his position as editor at The Baltimore Sun, is continuing the Sun's penchant for taking liberties with reporting the facts surrounding US actions in Honduras in the early 1980's.

SARAH R. HORSEY,
Foreign Service Officer (ret.).
U.S. Consul General, Honduras, 1981-1984.

Letter to the Editor of the Los Angeles Times, May 23, 2001 (fax)
 Ambassador Negroponte's Nomination

Joseph Mulligan's article "What Did Negroponte Hide and When Did He Hide It?" carries a lot of innuendo, but few facts and little logic. In his comments on the death of Father Carney, the innuendo comes from a distortion of the facts. Father Carney did not merely "come to Honduras as a chaplain to a revolutionary group." Rather, Father Carney clandestinely infiltrated Honduras from Sandinista Nicaragua with a column of about one hundred armed guerrillas who had had training in Cuba. Their mission was to bring armed revolution to Honduras. The group was not captured and "disappeared" by the Honduran army, as Mulligan writes. Rather, about 50 of the group, probably including Father Carney, died of hunger and exposure in the jungle. Those who died from exposure were younger than Carney (almost 60) and physically fit Honduran peasants. In fact, the existence of the guerrilla column was made known to the Hondurans only when a couple of the starving guerrillas turned themselves in at an army outpost. Another 25 of the group died in firefights with the Honduran army, and at least 20 were captured and later released.

As Consul General in the Embassy at that time, I was instructed by Amb. Negroponte to assist the Carney family in finding out what had happened to Father Carney, and if possible, to recover his body. The Honduran army cooperated with the family and even made a helicopter available to the family for a search of the jungle in a remote area of Honduras. We were never able to find anything that would have constituted concrete evidence that the Hondurans had captured or killed Carney. And what would have been the point? Why would the Hondurans have killed an American priest who would have been captured while hobbling around in the jungle on a bad knee? About 20 of the young guerrillas who surrendered to the Honduran army survived their capture, why not Carney? To this day I am convinced that Father Carney perished in the jungle. The Ambassador and his Embassy did all it could to find out what Carney's fate had been. The Hondurans cooperated, despite Carney's demonstrated hostility to their government Father Carney likely died in the jungle with dozens of others because he thought he was advancing the cause of social justice. That legacy should be sufficient. It does not honor that legacy by using innuendo now to smear an Ambassador who aided Carney's family in their search for his body and the facts surrounding his death.

SARAH R. HORSEY,
Foreign Service Officer (ret.).
U.S. Consul General, Honduras, 1981-1984.

Reston, VA, July 12, 2001.

The Honorable JESSE A. HELMS
Committee on Foreign Relations,
United States Senate,
Washington, DC.

DEAR SENATOR HELMS:

I am writing to you regarding the CIA Inspector General's Report of Investigation dated August 27, 1997, entitled "Selected Issues Relating to CIA Activities in Honduras in the 1980's," which was released in unclassified redacted form in September 1998, and which has been raised in connection with the current nomination of Ambassador John D. Negroponte.

As the source of much of the information cited in pages 123 to 126 in the IG report, and as an employee of our Embassy in Tegucigalpa at the time, I wish to state most emphatically that certain of the IG's conclusions on page 126 of the redacted report are not accurate. In particular, the IG's conclusion in paragraph 364, page 116, of the redacted report that any discouragement of follow-up on the information

in an Army Operations Group (AOG) intelligence report drafted in 1983 was "based on the Ambassador's reported concerns" is categorically false. The Ambassador had no role whatsoever in the concerns I had and continue to have with the AOG report in question, as well as with subsequent AOG dealings with the same source, which revolved entirely around the credibility of the source and are outlined in paragraph 355, page 123, of the redacted IG report. The IG's conclusion on this point is not supported by his own report.

I also wish to specifically reaffirm a point which was deleted from page 123 of the redacted IG report: namely that I have no recollection of ever having discussed the 1983 draft AOG report with Ambassador Negroponete. Furthermore, I am not aware of any instance in which Ambassador Negroponete ever sought to suppress or otherwise restrain intelligence reporting on the human rights situation in Honduras, or on any other subject. My own attitudes with regard to the draft AOG report were based entirely on the intelligence merits and not on any extraneous political considerations. I should also point out that even in the hypothetical case that Ambassador Negroponete or anyone else in Tegucigalpa had wished to suppress the AOG report, it would not have been possible, because we only had authority to comment on the information or make recommendations regarding dissemination to the report's originating office in Washington, which made the ultimate determination regarding handling of the report. This standard procedural fact was well known to Ambassador Negroponete given his standing as a widely experienced professional Foreign Service officer.

If it would be of assistance to the Committee, I am prepared to discuss this matter further with Committee Staff. I was certainly troubled by the wording of the IG conclusion cited above when I was first shown it, several months after the report was originally published. While IG practice at the time was to provide those interviewed an opportunity to verify the accuracy of statements attributed to them in the texts of reports in advance of text publication, they did NOT provide individuals with an opportunity to know of or refute IG conclusions about them in advance of their publication. I very much regret now that I did not find a way to formally take issue with the passages I found objectionable, even when learning of them several months after the fact. Of course, I could not have foreseen that this classified internal report about the CIA's activities in Honduras in the 1980's might have a bearing on Ambassador Negroponete's nomination to the UN in 2001.

In closing, let me say that in all my contacts with Ambassador Negroponete, I have found him to be what one would wish all our Foreign Service officers to be: an extremely competent and knowledgeable professional, an able and inspirational leader, and both compassionate and gentlemanly in his dealings with people. Serving under his leadership was one of the highlights of my own thirty years of government service.

Please do not hesitate to contact me if I can be of any further service to the Committee.

Sincerely yours,

— — —

Senator HELMS. All right. Well, I will take an extra minute next time and I will stop.

The CHAIRMAN. Senator Feingold.

Senator FEINGOLD. Thank you, Mr. Chairman.

Ambassador Negroponete, I enjoyed our meeting and I very much would hope to be able to support you. But I have concerns about some of the issues concerning your tenure in Honduras and I frankly would like to ask a number of questions about it, time permitting.

Let me first start by asking something that is in the nature of more of a hypothetical question rather than specifically about your tenure in Honduras. It is sort of, if you are confirmed, what do you understand your responsibilities to be toward the Congress. For example, what if the President decided to very aggressively pursue a specific policy goal, and what if that goal turned out to generate resentment and ill will among other countries, undermining America's ability to successfully pursue other crucial interests. When you are in the position of responding to congressional inquiries, either

in correspondence or at a hearing, would you remain silent about examples of backlash or of slippage in important foreign policy pursuits if you had reason to believe that full disclosure could jeopardize congressional support for the administration's policy?

Ambassador NEGROPONTE. Well, if I understand the thrust of your question, Senator, I certainly am a very, very strong believer in partnership with the Congress. I said that at the outset in my opening statement. I firmly believe that. I have believed it throughout my entire career.

If I could comment a little bit about the concerns I had in the early 1980's with respect to our policy toward Central America, I was concerned in 1981 and 1982 that the administration was proceeding down the path that it was proceeding without yet having had a good national debate about our policy toward Central America. I think that is one of the reasons we ended up in the controversial situation that we did. We launched the so-called covert action program and so forth in late 1981. We took a number of specific steps. But it was not until 1983, if I remember correctly, that President Reagan came and spoke to a joint session of Congress about our Central America policy, and I think by that time the horse was out of the barn and I think there had been too much controversy and it became much more difficult to sustain a bipartisan approach to that very controversial policy issue.

So I know it is not directly responsive to your question, but I just want you to know I think, particularly when it comes to issues of foreign policy, it is important to do our darndest to have strong national consensus. Obviously, one of the best ways to do that is to mobilize maximum congressional support.

Now, in your question also there was the issue of whether I would not be forthright or withhold information from the Congress that it asked for in connection with the exercise of my responsibilities. That is just inconceivable to me.

Senator FEINGOLD. So you would never decline to tell the whole truth to Congress?

Ambassador NEGROPONTE. Right.

Senator FEINGOLD. Even under this kind of hypothetical situation?

Ambassador NEGROPONTE. Right.

Senator FEINGOLD. Why do you not talk a little bit more generally about what role you believe human rights considerations should play in United States foreign policy?

Ambassador NEGROPONTE. As I said in my opening statement, I felt that for any professional Foreign Service officer, for any government official, but certainly for any career diplomat—and that is what I have been virtually all of my adult life—I think it is an article of faith that we must represent the values and the ideals and the traditions of our political system. So I think that that just goes without saying, and I think that in myriad different ways big and small we must see to do that throughout the course of our daily and yearly activities.

Now, what role does the specific issue of human rights play in the conduct of foreign relations? I guess perhaps the best way I can respond to that is that I think we have the best relations with countries of the world that are democratic. I think that the best as-

surance and the best guarantee of international peace and the best way to promote global peace is to encourage the existence of viable democratic nation states. I think that is the best assurance we have got of a chance to establish viable international peace.

To the extent that states are not democratic or not moving in that direction, that constitutes a potential threat to peace.

Senator FEINGOLD. I appreciate that statement. As you know—I am not surprising you with this—my office and I have been working very hard to try to get at some of the issues concerning the tenure in Honduras and reach some level of comfort.

One item, one of the human rights reports from your tenure as Ambassador, noted that “in rare cases in which members of the security forces have been accused of murder, the government has brought the perpetrators to justice.” While it is true that there were examples of individuals being charged with crimes or even being brought to trial, it is very hard to find any examples of anyone actually being convicted or sentenced.

Now, it seems to me your Embassy must have known that was the case. Is not incomplete reporting of this nature really something that constitutes misleading reporting?

Ambassador NEGROPONTE. Well, I seem to recall, for example, a case of a Guatemalan doctor who was working in refugee camps who was killed in the exercise of his duties by members of a Honduran military battalion, and we, among others, the State Department, the Embassy, made an issue of this occurrence with the Honduran authorities. This was in 1982, I believe, and the perpetrators to my knowledge were found, were arrested and tried.

Now, there have been a number of other instances. I cannot cite them to you off the top of my head.

Senator FEINGOLD. Perhaps I can take this up in another round. Thank you.

The CHAIRMAN. Can I ask just one question. Was Assistant Secretary of State Enders Assistant Secretary of State when you were appointed Ambassador?

Ambassador NEGROPONTE. Yes, sir, when I was appointed, yes.

The CHAIRMAN. How long did you guys overlap?

Ambassador NEGROPONTE. Well, I went down to Honduras in November 1981 and Tom must have been in that job for about 2 years.

The CHAIRMAN. Thank you.

Senator Lugar.

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

Mr. Negroponte, I can remember fairly vividly from personal experience in Central America during the 1980's. Many of us went as observers to election campaigns or pre-election situations. I have great admiration for those who have served our country as Ambassadors in the countries of Honduras, which we are talking about today, but likewise Nicaragua and Guatemala and El Salvador.

I can recall being personally in physical danger in all of those experiences, as were my colleagues. That was the norm. I think it is important that we examine this today and I appreciate my colleagues raising these questions.

But let me focus on the current duties for which I hope you will be confirmed. Very soon the President of the United States is going

to go to the United Nations, so will leaders of most countries of the world. This time around, it is a different situation for our country in my judgment. We are in a position in which the United States is going to be calling upon not only our NATO allies, our friends in Latin America, our friends in Asia and others, to stand with us against terrorism in the world. We are asking for their assistance at a time at which some of their foreign policies clearly have undermined in our judgment the fight against terrorism.

Specifically, I cite an editorial in the Wall Street Journal which makes this point very abruptly this morning. The author says that if Osama bin Laden has some culpability here, clearly the one aircraft he has is not enough to attack our country as a guided missile. The fact is that organizations of other nation states—and Iraq is cited specifically as potentially culpable—are probably responsible, maybe not exclusively Iraq.

Now, that gets us into a very different situation diplomatically. Iraq is a major state. Iraq is a state with which we have been at war. We have friends, the French for example, who have advocated a very different view toward Iraq in recent years, and maybe others around the table at the Security Council likewise.

We are going to have to ask other nations to take a different point of view, a seriously different point of view. That will be your focal point, because the United Nations is the place where that interface with these nations occurs every day and in a very serious measure.

I simply want your comment as you analyze, leaving momentarily behind Honduras in 1981, what is occurring at the United Nations in 2001 and what you will do about it. Have you given some thought to the change just in the last 48 or 72 hours?

Ambassador NEGROPONTE. Of course, Senator, I have given it some thought. We are still—it is very fresh, as you have mentioned, just 48 hours ago that we were staggered by these events. But I think already quite a bit has been accomplished in terms of trying to work with the rest of the international community to mobilize in condemning these acts of terrorism, as I mentioned earlier, the United Nations, the Security Council, the General Assembly, the European Union, the Organization of American States.

So, given the dramatic change in circumstances and situation which we confront now—and obviously we have not been able to yet to think through all of the different ramifications—but I would hope and expect, and in fact I think I can fairly confidentially predict, that we are going to encounter very supportive attitudes from other countries, even ones—you have mentioned some—who might have been reluctant to be supportive in the past.

But I think it is going to come down to one question: Are you for terrorism or are you against it? I think that most, hopefully all, countries of the world are going to stand up and be counted on the right side of this question. It is not something that is going to be accomplished overnight. I think it is going to involve a lot of painstaking diplomacy and not only at the United Nations. I think everywhere around the world, through our bilateral diplomacy, through regional institutions, but also through the United Nations, which, as you say, is an extremely useful forum through which to pursue these goals.

Senator LUGAR. I appreciate that comment. I appreciate also your earlier testimony asking that we pay our dues to the U.N.. I think that is very important, and for your credibility, extremely important. I appreciate the leadership of Senator Biden, Senator Helms in moving that subject along a whole lot. But we still have some distance to go.

Senator SARBANES. Could I say amen. Could I say amen to the paying of the dues.

Senator LUGAR. I appreciate that, and I hope the committee agrees.

I thank you very much for your testimony.

The CHAIRMAN. Could I interrupt for a moment? A bit of committee business, because we are going to go one more round here with Senator Wellstone and then we are going to adjourn for the joint caucus, and then we will come back at 2:15. I think that is when our caucus will probably end, is 2:15. Make it 2:30 so we do not keep you waiting.

Senator BOXER. Mr. Chairman, may I ask you if it would be possible, since so many of us have been here since the start, could we establish that when you come back you would go next to Senator Hagel if he is back here, and then to me and then to Senator Chafee, who has been sitting here, and then to Senator Frist, because I think it would be unfair if others came. We have been here for many hours. And Senator Wellstone is going to go.

Senator SARBANES. And Senator Enzi is down there at the end.

Senator BOXER. Oh, Mike, I am sorry. Would you forgive me.

Senator WELLSTONE. We did not see you.

Senator BOXER. I am sorry. I would say, please add Senator Enzi.

Senator WELLSTONE. What we have here, Mr. Chairman, is a rebellion. We want by order of appearance.

The CHAIRMAN. The answer is for today yes; for the future, no. I am hidebound about seniority. Being 100 in seniority at one time and now being number 9 in seniority—

Senator WELLSTONE. You like it.

The CHAIRMAN. It is a wonderful system. And I like it very much.

Senator BOXER. We love your selflessness.

Senator SARBANES. I am like you, Mr. Chairman. I had my doubts and reservations about it back in the beginning, but now I have come to see the wisdom of it.

The CHAIRMAN. But I will concede to refrain from asking questions myself until the end.

Let me just make one piece of business here. In light of the situation that exists in the country today, yesterday the majority leader asked the President whether there were any nominees that he needed immediately and the State Department sent us a list last night, although, I might add, this committee has moved nominees faster than any committee I think ever has and we will continue to do so. There are several nominees on the list who would clearly be important to the ongoing diplomatic effort to respond to attacks against the United States.

But I do not want to alter committee tradition so much so that we just pass it without a hearing. I am going to ask the joint staff to ask that the U.N. Representative for Management and Budget Reform, the Ambassador to Bahrain, the Ambassador to the United

Arab Emirates, the Ambassador nominee to Turkmenistan, and the Ambassador nominee to Nepal make themselves available at any time they can today. We will have a very brief hearing, we will go through the formality, and we will report them out either today or tomorrow, rather than just reporting them out without any matter before the committee.

Now, having said that, I will now yield. Who was here first, Senator Boxer or Senator Wellstone?

Senator BOXER. Senator Wellstone.

The CHAIRMAN. I knew that. I just wanted to see your reaction.

I will now yield to Senator Hagel. No, I yield to Senator Wellstone.

Senator WELLSTONE. Senator Boxer is my advocate, and vice versa.

The CHAIRMAN. She is a good advocate.

Senator BOXER. We are a team down here.

Senator WELLSTONE. First of all, let me just say to the Ambassador, welcome, and I also appreciate that I had a chance to spend time with the Ambassador and I thought it was a very good discussion in the office. I have said to the Ambassador that I wish him well. I think it is an extremely important position.

At the very beginning, I will just say that I will vote no. This is an extraordinary time. Our country needs an Ambassador to the United Nations. I am not going to be making any effort to block this, either—Mr. Chairman, have I got your attention? Mr. Chairman, have I got your attention?

The CHAIRMAN. You have it.

Senator WELLSTONE. I was saying that I will make no effort to block this in the committee or on the floor. These are extraordinary circumstances, but I want to express my reservations to the question and certainly give the Ambassador opportunity to respond.

Jack Binns, who was your predecessor, had deep concerns about what he saw as the human rights situation, and I have a direct quote of a statement that he issued about 5 months before your arrival. Just in the beginning, he said: "I am deeply concerned at the increasing evidence of officially sponsored, sanctioned assassinations of political and criminal targets, which clearly indicate that the Government of Honduras' repression has built up a head of steam much faster than we have anticipated." Then he goes on. He was trying to sound an alarm as to what was going on.

There were during your tenure, there were a considerable number of press reports of demonstrations outside the U.S. Embassy and petitions from Honduran officials and, to me maybe even more importantly, families of the disappeared, about the human rights violations that had taken place, about loved ones who have disappeared, it turns out who were murdered, wanting to know what has happened.

The State Department reports certainly did not fully reflect the families of the disappeared, what they were saying, what they were calling for. Ambassador, you took the position, and I think you said it today, that whatever abuses occurred paled in comparison with abuses in other countries, such as neighboring countries, such as El Salvador. Earlier you had said, I do not agree, you did not really think there was a difference between the Reagan administration

and the Carter administration in human rights. But you then went on and you also asserted without equivocation that there were no death squads in Honduras.

For instance, in a letter to *The Economist* you stated: "It is simply untrue to state that death squads have made their appearance in Honduras." Now, the Inter-American Court in 1988 looking back goes through a whole set of facts and talks about the practice of disappearances carried out or tolerated by Honduran officials, kidnaping of victims in force, often in broad daylight, in public places, by armed men in civilian clothes, acting with impunity. It was public and notorious knowledge in Honduras that the kidnapings were carried out by military personnel or the police or persons acting under their orders, so on and so forth.

The CIA working group in its own stipulations has said during the 1980 and 1984 report the Honduran military committed most of the hundreds of human rights abuses reported in Honduras. These abuses were politically motivated and officially sanctioned. This is the CIA stipulation.

So I agree with the Senator from Indiana, now is now and we go forward. But in terms of so many people I love and believe in, some of whom lost their lives in Central America, some of whom worked with those people, I just cannot—I just cannot understand why you were not more outspoken, why you were not more public, and even today why you seem to be unwilling to acknowledge the fact that indeed the state was involved, the government was involved, it was widespread, people were murdered.

I guess that is not what I feel like I have ever heard from you. That is my concern. Maybe that is what Senator Feingold was trying to allude to as well. You may be a greater Ambassador to the United Nations and I hope you are, and our country needs an Ambassador. But these are my concerns, trying to square this information.

Ambassador NEGROPONTE. You have raised a lot of questions. One has to do with stipulations and the working group report. I think as I worked with the committee staff I think we were able to demonstrate a number of areas where we thought the working group report had had shortcomings. For example, there were a number of instances where they cited that there were x number of intelligence reports about death squad activity and those reports when we looked at them did not necessarily reflect that kind of activity. That is one issue.

I have said in responses to my questions, I responded to *The Economist*, I also responded to the committee in 1989, in good faith and to this day, I did not believe that death squads were operating. So I was asked, well then, what do you mean by "death squad," because after all maybe different people carry with them different definitions of what they consider a death squad. I believed at the time that a death squad—I thought of what was going on in El Salvador: paramilitary right-wing death squads. That was the prevalent activity, and that was the kind of thing we were hearing about all the time. I did not see any such activities. I did not think that any activities that were occurring in Honduras at that time fit that description.

Violations, disappearances, I think the extent, if you will, of disappearances in Honduras has been variously estimated by many different people. But if you look at our own human rights reporting during the period 1981 to 1985 when I was Ambassador down there, we report that there were allegations of as many as 100 or more disappearances.

I think the Human Rights Court in the late 1980's, they talk about their estimate is 100 to 150. The Honduran ombudsman 10 years later, 1993, 1994, comes up with the figure of 179.

So one hates to try to get into these kinds of numerical estimates because I think everybody would acknowledge that, except in cases where you have specific evidence and well-developed facts, you are basically talking about estimates.

I believed then and I have maintained that these were not a part of the government's policy. I believed and I think we are able to demonstrate—maybe it is a mixed picture, Senator. I am more than willing to acknowledge that. But I think we are able to demonstrate that there were good faith efforts in parts of the Honduran Government to improve the human rights situation and to move the process forward toward democracy in that country.

Last, was I vocal or was I more—could I have been more vocal? As early as 1983, I wrote an op-ed piece in the L.A. Times where I make a reference to the judicial system as being one of the real blemishes in the Honduran—in what I considered to be overall a positive Honduran political picture. I made speeches to that effect. I made a speech to the Dallas World Affairs Council in late 1983 where I referred to these problems in the administration of justice. I did a lot in the area of quiet diplomacy. I think that is acknowledged and I think that is demonstrable in the record.

Could I have been more vocal? Well, you know, in retrospect perhaps I could have been. I do not know. But that is the way I handled it at the time.

The CHAIRMAN. I guess we are probably still eating and not talking. If you want, since you have been sitting here, with the permission of the good doctor, maybe, Senator Chafee, if you want to go with your questions, we can move on along.

Senator CHAFEE. I will ask a quick question, Mr. Chairman. I will ask a quick question.

The CHAIRMAN. Take your time. Take the time you need.

Senator CHAFEE. First of all, let me thank you for holding this hearing.

Mr. Ambassador, as Senator McCain has mentioned and in your own testimony, you have served for 41 years, in the State Department. You have served in Hong Kong, South Vietnam, Ecuador, Greece, Honduras, Mexico, and the Philippines. I suspect that a lot of your challenges ahead are going to involve the Middle East. You yourself said you hope to establish personal relationships with all 188 countries.

How do you foresee establishing relationships with those countries in the Middle East? Perhaps you could expound on some of the more moderate Arab countries and how important they are going to be as we go forward.

Ambassador NEGROPONTE. Well, as I mentioned, I think one of the things—I think personal diplomacy at the United Nations is ex-

tremely important. After all, it is a quasi-legislative environment, so you have got to really get to know your fellow members as quickly as you can. The diplomatic tradition is to get around and get to know the delegates personally, on a personal basis.

Now, obviously doing it with 188 of them is going to be a tall order. The first priority clearly is going to be the fellow members of the Security Council, the other 14 members of the Security Council, and I would put my energies and efforts to that immediately upon assuming my new duties. But I am going to try to the best of my ability to become acquainted with as many delegates as possible, as quickly as possible.

That will include, of course, people from all parts, representatives from all parts of the world, including the critical Middle Eastern region. It is true that my own service has been—although extensive, I have never served in either the Middle East or Africa and those are two parts of the globe that are very much on the United Nations agenda at the moment. I will devote special effort to acquainting myself with issues concerning those regions of the world as quickly as possible.

Senator CHAFEE. Thank you, Mr. Chairman.

The CHAIRMAN. In light of how short that was, Senator Boxer, would you like to go now?

Senator BOXER. Yes, I would be happy if I could have my 7 minutes.

Sir, I have absolutely no question about your experience. People that I have a great deal of respect for have called me and told me that you are professional and you are talented and I have no question of that.

I also agree with Senator Wellstone, this is not a time for us to slow things down, Mr. Chairman, or hold things up. The world has changed for everyone. But as we look at the carnage, this war we are in right now, I still think we cannot for the sake of history pass over that era of the eighties. I happened to be here. My career and yours kind of came together in the sense that you were in Central America and I was here opposing what was going on with human rights violations. So I cannot let it pass.

When I listen to you, I keep coming back with this sense that, even though the CIA has written of that particular period of time, and we have the exact language, that they felt the Honduran Government was involved in death squad activity, and they talk about killings, kidnapings, torture, clandestine abductions, for some reason, and I do not know why, whether it is—I do not know why—you cannot get to that point.

I believe it is so important that we face mistakes, problems. Yes, put them in the context, and yet we know these human rights abuses and these deaths occurred to our nuns, to our religious leaders. A particular case in point, Father Carney, traveling with a band, attacked by government troops in 1983. He was absolutely fighting for, you might say, a left-wing cause because of the poverty he saw. No one sitting here might agree with how he wanted to take the country, but we would agree with his right to travel, to talk, to give his religious teachings to the people.

We know most of the band's leaders that he was traveling with were killed, some executed after being captured, according to the

CIA. Father Carney was unaccounted for, and yet when we asked you about this—this is a Jesuit—you really do not report too much about it, as I read your answers. You say: “I do not specifically recall raising the fate of Father Carney with General Alvarez, but it is likely that I did.” And you basically push it off to some other individual who you gave it to.

It seems to me that is just not enough. My understanding is that many people were killed each year. A lot of people. You know, one of the things that hits me, Mr. Chairman, as we watch all these numbers of people we lost, each human story, each human story could fill a book. So every life that was lost, as you well know—I know you know this, because we in America, we cherish life—is a story.

It was happening. The CIA said it happened. But somehow you cannot get to say that it happened.

The Baltimore Sun—and I would like to come back to this because I see that my time is running out. I hope I can get additional questions and I will wait for everyone else to finish, Mr. Chairman. When I come back, the Baltimore Sun talks about an abduction in 1981 and a murder of a Mr. Velasquez. The relatives live in my State now. They want me to ask you, because they begged you to pressure the Honduran Government for information about her brother. Yet, according to her, you stated you could not get internal affairs of the Honduran Government to help.

So I want to ask you on the record about that when we come back. But it is just this nagging feeling I have, a sense that you do not really want to look at this. Why is it important? I will conclude here with my statement. It is that when you are there, which I have no doubt you will be, at the U.N. and you stand up and you fight for human rights and individual rights and the rights of people to feel free, to talk, to express themselves regardless of their political ideology, to have the respect of the government, to be safe, I want you to have that credibility. I am hoping when we come back, maybe, maybe, just maybe, you will be able to give us more of your views on that period of time.

Thank you.

The CHAIRMAN. Senator Enzi, would you like to go now? You have been waiting a long time. It is fine by me.

Senator ENZI. Mr. Chairman, it is up to you. I am one of the people who suggested the joint session in light of all the activities that have been happening.

The CHAIRMAN. My guess is the discussion will not start until 1 o'clock if it is like most of our lunches.

Senator SARBANES. It will free all of our consciences if you are allowed to go now.

Senator ENZI. I have noticed the position here of being at a desk that has been put in temporarily at the end and I just assume that that is the leadership's intention that there should not be this same makeup of the committee very long and we will be moved to other positions.

The CHAIRMAN. We want you to stay, Mike. We want you to stay.

Senator ENZI. As a fellow Senator number 100, I do recognize the seniority system and have grown to appreciate it, because when you are in this position you do get to learn a lot listening to all of

the other people with more seniority who go before asking their questions.

I do thank you for going ahead with the scheduling on this. This week has made this position ever more critical than before, and it was critical before. There is a need to get the President's entire team on board, and I appreciate your announcement that later today we will do the other hearings and get some of the other folks on board. But this is probably the most critical position outstanding at the moment and the importance of it has been recognized by the events of the last few days.

I would also like to mention that I am ever so pleased that it is going to be a career Foreign Service person. My college roommate, Edward "Skip" Gnehm, has been another career Foreign Service person and I have kind of lived around the world through his eyes and have grown to appreciate the value of people who have devoted their entire life to understanding other countries and our relationship to those other countries and solving problems between our country and other countries and helping those countries to solve problems between each other.

I appreciate the opportunity that I had to visit with you more extensively in my office earlier and the answers that you gave, and they reflected that same professionalism that I have grown familiar with through my roommate.

I do have a couple of questions. Since Honduras seems to be the focus of this, I would ask a couple of questions on that, too. Am I right that in the annual State Department Human Rights Report between 1981 and 1985 accurately that there was an improvement in human rights in Honduras during the time you were Ambassador?

Ambassador NEGROPONTE. Sir, I pointed out in reply to written questions that, if you look at the reports from 1981 to 1985, it appears—and again, I do not want to overemphasize or exaggerate the importance of these numbers because I think we all agree that when you are operating and trying to understand situations like this that coming to accurate information is not that easy. But it appears that the year in which some of the most egregious violations occurred and the year in which the largest number of disappearances were alleged was 1981. Of course, I arrived in Honduras in November 1981.

I think that that by various accounts seems to have been the high water mark in terms of allegations of disappearances. I think there was some improvement in that situation in the ensuing years and I think by the time General Alvarez, the commander in chief of the Honduran Armed Forces, was relieved in early 1984, I think then the situation improved even further.

I think the period of difficulty in Honduras was 1981, 1982, and 1983, and I would attribute that to the fact that the Government of Honduras was trying to cope with an incipient terrorist threat. I think you had this cycle of—

DEMONSTRATOR. Mr. Ambassador, family members of Manfredo Velasquez would like to ask you—

The CHAIRMAN. There will be order. I ask the police officer to escort this gentleman out, please.

DEMONSTRATOR. I have here a message from Manfredo Velasquez. He disappeared in 1981. His family—

The CHAIRMAN. We will suspend for just a moment.

DEMONSTRATOR. They are against state terrorism. They believe that you were involved in state terrorism—

Senator ENZI. Mr. Ambassador, I will ask a much shorter question so that the interference will not be necessary. Did you ever suggest not preparing or disseminating reports on alleged human rights violations in Honduras?

Ambassador NEGROPONTE. No, I did not. This does take me back a little bit to—and I will say it again this afternoon before Senator Boxer. But she mentioned the stipulations and the CIA reports. There is a lot of reporting or a lot of the documents in there that in my view do not necessarily reflect the situation correctly.

In particular, in the inspector general's report there is a suggestion in one paragraph that, based on concerns that I had expressed, that the CIA discouraged further reporting of human rights abuses by a particular source. That conclusion in the inspector general's report, which was released publicly in 1997, obviously to the detriment of my reputation, is absolutely false and the source to whom it was attributed has since stepped forth and himself said that that was simply a completely incorrect statement of the situation.

Yes—or no, Senator, I never sought to suppress human rights reporting.

Senator ENZI. Thank you. Before this sounds like it is just a Honduras hearing, your career is considerably more extensive than that. Would you identify some of the important diplomatic achievements that you had over the rest of your career.

Ambassador NEGROPONTE. Well, perhaps I could limit myself to three in the interest of time here. I think, first of all, my service in Mexico is one of which I am extremely proud, Senator. I was there from 1989 to 1993 and we both conceived and negotiated the North American Free Trade Agreement, which I think has turned out to be of immense benefit to both Mexico and the United States and Canada as well.

I would cite my role as Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, where I oversaw the negotiation of the Montreal Protocol to protect the stratospheric ozone layer from chlorofluorocarbons, and I think in this day and age when we are debating global warming and other types of issues the Montreal Protocol is frequently pointed to as a model agreement of its kind in that particular area.

Last but certainly not least, I am extremely proud of my service as Secretary Powell's deputy when he was National Security Adviser in the final year of the Reagan administration, which I think was a particularly strong year from a diplomatic point of view for the United States: the rapprochement with the Soviet Union, the end of the Soviet occupation of Afghanistan, and so on and so forth.

Senator ENZI. Thank you for your willingness to serve in this position, too.

The CHAIRMAN. Mr. Ambassador, I am not going to when we come back ask you much about Honduras. I want to ask you one question for my own sake that I have asked, and then I have a very brief comment. That is that Jack Binns indicated, former Am-

bassador, that Mr. Enders, at that time the Assistant Secretary of State, told him to discontinue reporting on human rights abuses. I am not vouching for the validity of that, but I just want to ask you one question: Did Mr. Enders at any time when you were the Ambassador suggest to you, imply to you, that you should curtail, alter, not report, shave, in any way did he indicate to you how and under what circumstances you should report human rights abuses if you knew of them?

Ambassador NEGROPONTE. The very short answer, sir, is no, absolutely not. He never gave me any such instruction. I just would like to add, since he is no longer with us to speak for himself, I had the highest personal regard for Thomas Enders.

The CHAIRMAN. I knew Secretary Enders. I have been here a long time. I found him a fine man. I just want—that allegation has been made. I want it on the record what you had to say.

Let me tell you what I think so you do not wonder the rest of the afternoon. I think that you were in a tough position. I think that you were caught a little bit between a rock and a hard spot, but the evidence shows to me that you constantly attempted to push the Honduran Government in the direction it should be moving.

It is easy to quibble with you now as to whether or not you shaved or modified in some degree reporting. Quite frankly, that is not for me a matter that would warrant—to put it another way, I do not think there is any evidence, I do not think there is any concrete evidence that you in fact altered reporting and/or deliberately hid human rights abuses. I do not think that is the case.

But when I do come back, I do want to talk to you about the United Nations and I want to state, so you have time to think about it, I think the single most significant thing that has happened since the God-awful terrorist attacks that occurred on the 11th is that Secretary Powell I believe is well on his way to putting together a coalition that will stop us from talking about the attacks having ended our way of life in America.

I refuse to accept that proposition. I refuse to accept the proposition that those terrorist acts have in any fundamental way changed our way of life or will change our way of life. I prefer to believe that with the right leadership, and I think we are getting it now, that we will mark the 9-11-01 as the date, the beginning of the end of organized large terrorist organizations and networks. I prefer to believe it is the end of, the end of, terrorism that is sponsored and/or sanctioned by and/or looked at through a blind eye by nation states. This is the beginning of the end of that, in my view.

You are going to have to play, as you well know, I hope you know, an incredibly important part in following up in what I think should be the No. 1 overwhelming unquestioned priority for the United States of America over the next days and weeks and months. I am going to want to talk to you about that.

With that, let me suggest that we adjourn until 2:30. Again, I have asked my staff to contact the State Department to see whether or not we are able to get those nominees who I named up. It does not mean they are the only nominees we will do and move

quickly, but they are the only nominees we will do and move quickly today and tomorrow.

With that, we will adjourn until 2:30.

[Whereupon, at 1:01 p.m., the committee adjourned, to reconvene at 2:30 p.m., the same day.]

AFTERNOON SESSION

The committee met, pursuant to notice, at 2:30 p.m. in room SD-419, Dirksen Senate Office Building, Hon. Joseph R. Biden, Jr. (chairman of the committee), presiding.

Present: Senators Biden, Kerry, Feingold, Wellstone, Boxer, Bill Nelson, Rockefeller, Helms, Lugar, Hagel, Frist, Chafee, Brownback, and Enzi.

Senator ROCKEFELLER [presiding]. This hearing will resume. We await the return of the chairman, and I call upon Senator Hagel.

Senator HAGEL. Mr. Chairman, thank you. Ambassador Negroponte, welcome again.

There have been some very positive things said about you this morning, especially from two of our most distinguished members of this body, Senator Stevens and Senator McCain, as well in writing from the distinguished former Ambassador and your former colleague of many, many years, Ambassador Holbrooke.

I wish to associate myself with those remarks. I share their evaluation of your character, your integrity, your ability, your experience. I believe you are one of the preeminent public servants of our time. Anyone who has been able to run the gauntlet, Mr. Chairman, for his sixth confirmation hearing deserves at least some recognition, having nothing to do with your ability, but in this case you have all of the package.

I want to go back to a point that Senator McCain made in thanking you and your family for your willingness to take this assignment on. I do not know of a time when your, I hope, soon to be new position, I'm confident that will happen, has been more important for this country and for the world, and I say that not just as a result of what happened in this country a couple of days ago. That certainly has magnified your responsibilities and the importance of your presence there, but in fact it has focused on the original intent of the United Nations.

We have over the years, at least in my opinion, tended to drift from what that original intent was, and why we have a United Nations. We in my opinion, have tended to move along the peripheral maybe a bit too much, and as the chairman, Chairman Biden said at the end of the first session of your confirmation hearings, he wishes to spend a little time on your new job.

I think we have quite frankly, or at least in this Senator's opinion, resolved your past, certainly to my satisfaction, and I think probably most Members of the Senate.

I would like to focus on what lies ahead and your sense of that new job. I would say before I ask a couple of questions in that regard that in the 1980's, when you were in Honduras, I was often in Central America as a businessman. I did not know you, I knew who you were, but I would make this comment trying to put some of this in perspective.

Democracy was in a lot of trouble in Central America in the 1980's and as you have noted and I agree, it is some testament of the policies that you implemented and your presence and others like you that were able to sustain the democracy through the 1980's and position all of Latin America where it is today. Imperfect, of course. More work to do, of course. This is a flawed business, you know that better than anybody. This is an imperfect business, this is an imprecise business.

So I think we should be a bit careful here when we try to judge standards here, especially 20 years ago, and reflect on what the facts of life were at the time. I saw those facts of life very clearly, so I applaud you for your service. It is certainly nothing to back away from or be apologetic for.

Now, as you have given some thought to your new job and to the great terrorist act that has been perpetrated on this country in the last couple of days, have you thought through what additional ways we might lead or what ways we might be able to work through the U.N. to deal with this great scourge of our time, terrorism?

Ambassador NEGROPONTE. Thank you, Senator. As we said this morning, or as I said, of course this is an unfolding situation, it has only been 48 hours since these events occurred, but even in that period of time the United Nations through the Security Council and the General Assembly have both passed resolutions. NATO has passed a resolution. The European Union has made a statement, all of them in unison with us condemning these dastardly acts.

I think the opportunity presents itself and I think we already see it happening, to form a strong global coalition against terrorism. It isn't going to happen in the United Nations exclusively, it's going to happen through all forms of diplomacy, whether it's bilateral, regional or global. But clearly there is going to be a role to be played, an important role to be played in the United Nations working with like-minded states on the one hand and also those who may in the past have either been fence sitters or against us. But I think as we said earlier, this is an issue on which people are really going to have to take a stand, we are going to press them to, and I think the United Nations is one of those venues where we can do that.

Do I have a detailed action plan in my mind? I must confess that it's just too soon to do that and I can't get out in front of the—it would be imprudent on my part, I think, to try to get out in front of policies that are being developed as we speak. But yes, I would expect to be vigorously and energetically involved in whatever global initiatives we plan to take.

Senator HAGEL. Thank you. Have you given some—I am sorry.

Senator ROCKEFELLER. Go ahead.

Senator HAGEL. Thank you, Mr. Chairman. Have you given some thought to what went wrong with the U.N. Conference against Racism?

Ambassador NEGROPONTE. Yes, I have, sir. I believe it was too focused on the past. I think it focused too much on the rhetoric of blame and recrimination for past history and rather than focusing on seeking to remedy the problems of the present and acting in a spirit of hope and reconciliation as far as the future is concerned, so I have no doubt in my own mind that our withdrawing from that conference when we did was the right thing to do, as regrettable

as that may have been, but I do think it is an example of a kind of United Nations conference that we want to seek to avoid in the future and I think the best way to do that is to try to focus on the problems of the here and now and the problems that we face ahead.

Heaven knows, we have enough problems in our contemporary world without getting bogged down in such embittered arguments as occurred at that conference about the past. And also of course, there was completely unacceptable language with respect to the situation in the Middle East that was offensive to ourselves and to our close ally Israel, and we simply couldn't stand by and participate in a conference when such language is being developed.

Senator HAGEL. Mr. Ambassador, thank you. Mr. Chairman, thank you.

Senator ROCKEFELLER. Thank you, Senator Hagel. Senator Boxer, you can resume questioning.

Senator BOXER. Thank you, Mr. Chairman.

Mr. Negroponte, just as a side remark, your critique of the Conference on Racism was interesting and I agree with the second part of what you said. I think clearly, people were using this for an agenda other than the true agenda which was trying to deal with the issue of racism.

But I think your comment of focusing on the past, if I could respectfully disagree, American slavery was in the past. Do you think we should not focus on what happened to the African-Americans in this country as a result of that?

Ambassador NEGROPONTE. No, I don't want to be misunderstood there, Senator. I think that clearly, we want to acknowledge that that is one of the aspects of our history that has led to a number of the problems regarding racism that we confront in our country today.

Senator BOXER. I agree with you.

Ambassador NEGROPONTE. Having said that, I feel that the conference could have been more constructive and forward looking, and I believe it missed that opportunity, regrettably.

Senator BOXER. I think, Mr. Chairman, that clearly if we do not look at the past, whether it is, you know, American slavery, as it impacts the rest of our history, and we do not deal with it, confront it, admit our mistakes, et cetera, we do not move forward, and maybe that sort of segues into why I came back here to ask you some questions about the past, because we are all who we are and we are responsible for what we do or we do not do.

And I again want to reiterate, I have not from day one questioned your talent or your experience, but only your actions or lack of at a time when we were dealing in the Congress with some very serious things, so I want to ask you these specific questions about several cases.

But I also at this point, and then I will stay for another round if I have to, you knew about the Boland amendment and what that meant in terms of direct assistance to the Contras, correct?

Ambassador NEGROPONTE. Absolutely.

Senator BOXER. That passed here in 1982, and the New York Times editorial in urging us to ask questions, because they think it is important to clear the air here says, we need to know whether

your efforts on behalf of the Nicaraguan Contras strayed into illegal areas. And as I look at the files, I noted that you met with the Contras several times, I think you said it was about five or six times, and many of those were after, those meetings were after the Boland amendment passed.

Did you think at that time that perhaps it was not a wise thing to do given the prohibition from Congress?

Ambassador NEGROPONTE. Senator, first of all, I never engaged in any activity that violated the Boland amendment, I just think that is important to get that fundamental point down on the table first. And I would point out that at the time of the Iran Contra controversy, this issue was looked at exhaustively by a number of different institutions, including Judge Walsh's investigation, which was I believe the principal investigation of that issue at the time.

I was never called to testify before a grand jury, I was never, I don't think ever—

Senator BOXER. I am not at all suggesting that you did anything illegal. They say we should ask you. You have answered that.

I am really going to nuance more than, I don't say as far as illegality, I am not even going there with it. But you know, theoretically, what the Congress said and actually pragmatically said, no funds shall be spent to help the Contras. When an Ambassador meets with the Contras, we are paying your salary.

What I'm just saying is, and it is just a statement here, that after Congress took this unusual step, to have met with them four time, and I do not know what you talked about, was it a social visit or what were the substance of the meetings as you remember them?

Ambassador NEGROPONTE. I think with one exception—I met four times with the Contra leadership in a three-and-a-half year tour of duty. I have always cited that figure as an illustration of how I was not deeply involved in the day-to-day management—

Senator BOXER. But what did you talk about at those meetings? I am just curious. I was someone who fought for that policy, expended a lot of political tears and so on on that, and I am just curious, what was our Ambassador doing meeting with the Contras? Were you encouraging the Contras? What was the focus of the meetings with the Contras?

Ambassador NEGROPONTE. I think at least two if not three of those meetings were where I took visiting delegations to see them. I remember bringing Norman Mineta at one time when he was on the Intelligence Committee.

Senator BOXER. This was after the Boland amendment Members of the Congress visited the Contras?

Ambassador NEGROPONTE. No. I believe that's the first time I ever met the Contras.

Senator BOXER. Well, you said that in your statement, that the first time was with congressional people, but then there were four more times.

Ambassador NEGROPONTE. Yes, I think a total of four, but in any case—

Senator BOXER. Do you not remember what you talked about?

Senator HELMS. Mr. Chairman, let the witness answer the question before another one.

Senator BOXER. Senator, I am just trying to move it along. Otherwise, I will be here the whole day. I do not want to keep Mr. Negroponte, I am trying to just get to the point.

If you do not remember, that is fine. I am just trying to move it along.

Ambassador NEGROPONTE. I certainly didn't discuss anything that would have in any way been contrary to the Boland amendment. If I remember correctly, one meeting was simply they were the leaders, they were the civilian leaders. I'm not talking about military commanders and so forth. I met the civilian leadership of the Contras to take their temperature, to show them, show interest in their situation. I don't believe that there was any thing improper or incorrect about my having contact with those people at that time.

But the specific tenor of these conversations, I would not recall. If the point of your question would be did I discuss with them any ways that we might work around the Boland amendment or anything like that, it was absolutely none of that kind of talk.

Senator BOXER. Thank you. I will wait for the next round, Mr. Chairman.

Senator ROCKEFELLER. Senator, thank you. Senator Frist.

Senator FRIST. Thank you, Mr. Chairman. Ambassador Negroponte, I apologize for being in and out this morning, as well as now, but do appreciate the opportunity to ask you a few questions looking ahead.

Many of us on the panel before you worked very closely with Ambassador Holbrooke, who really did a remarkable job I think in achieving a huge amount of reform and addressed the issue we have talked about to some extent in terms of dues, and dues, burden sharing, and Ambassador Holbrooke accomplished a lot in a very short period of time working with us in a legislative fashion or with the legislative branch.

What as you look ahead, do you see yourself doing to really nail down and extend those achievements, those advances that have been made as you look ahead?

Ambassador NEGROPONTE. I certainly agree with you that yourselves and Ambassador Holbrooke achieved a truly significant accomplishment in dealing with this arrears issue. I think there is still work to be done; hopefully that's going to happen soon in terms of releasing the \$582 million dollars that we still owe in back, from the second tranche of the Helms-Biden amendment. I realize that has been an issue more in the House of Representatives than in this body, but still, I think that needs to be resolved.

I think over time that we really, I think it's important that we get the budget and our budget contributions to the United Nations on a consistent and predictable basis and as I said in my opening statement, I believe that we should pay our dues in a timely manner and I think that you have helped create the opportunity to get that done.

Senator FRIST. I think the thing that has impressed me most is the reform that was done working through the legislative branch, and mainly this committee, the reforms that were coupled with that in the past, the reforms which were long overdue and that without a certain amount of pressure would not have been realized.

And as we look at those reforms, we do need to nail those down, and it has been coupled in the past to the dues and the burden sharing.

Are there further reforms that you think should be made, that need to be made to build on the success of Ambassador Holbrooke?

Ambassador NEGROPONTE. Yes, sir. I think first of all, there are a number of reforms that are implicit in releasing the third tranche of the Helms-Biden. I think that such issues as peacekeeping reform I think is high on the United Nations right as we speak, and I think that's one we're going to pursue carefully.

They have established an Office of Inspector General. I think we want to pay close attention to the efforts that are being made in the United Nations to improve their management and human resource policies and practices. So I think that there are going to be many many different ways in which we can contribute to and help the United Nations become a more effective and efficient organization.

Let me just add here, I said some very strong words of support for Secretary General Kofi Annan in my opening statement this morning, and I just would like to add that I think he has been very mindful of the importance of this issue. He has an excellent Under Secretary for Management, who is an American citizen, Mr. Joe O'Connor, who has been excellent, a former CEO of a leading American accounting company. And you will be hearing this afternoon our nominee to be the new Ambassador to the United Nations for Management and Budget Reform, Mr. Patrick Kennedy, and so I think all of these things are going to be important.

Senator FRIST. As we look to sort of the changing nature, first of all, on the reforms, I wanted to bring that up because I think there are a lot of us who feel there is a lot more that needs to be done building on that foundation, and we look forward to working with you in that regard.

Through the changing of the United Nations, as you well know and as you and I have discussed, there has been a focus over the last really 2 years, again initiated in large part by Ambassador Holbrooke to focus on the HIV/AIDS pandemic in a way that is really pretty much unprecedented in that body to look at a public health issue, and a very personal health issue in such a dramatic way. Are there any changes in the U.N. organization that need to be made to be able to address issues like HIV/AIDS, public health issues, issues that now have reached the proportion which clearly do affect the security of individual countries, and hopefully as we move to greater and greater freedom of those countries?

Ambassador NEGROPONTE. Well, first, Senator, I would like to observe that I think the recent conference on HIV/AIDS which was hosted by the United Nations, the special session, I think was a landmark event. I think it was an extremely important conference hosted by the U.N.

I think that the establishment of the trust fund which I gather now has received pledges of up to \$2 billion dollars to deal with the HIV/AIDS problem around the world but especially in Africa, has been a very positive development, and I certainly look forward to working with you, I know your personal interest in this issue, on that, if I get confirmed.

As far as organizational changes, I think I would be reluctant to offer any view at this point, but I certainly want to take away your question and be mindful of it as I punch into my new responsibilities, and promise to get back together with you on it.

Senator FRIST. Well, the reason I bring it up, because I have a real question as to whether or not the United Nations did respond quickly enough, and for all sorts of reasons, it being the first time, but I do look forward to exploring that with you as we go forward in the event there are other major pandemics or public health catastrophes that come forward. But I will look very much forward to working with you and appreciate your comments today.

Thank, Mr. Chairman.

Senator ROCKEFELLER. Thank you, Senator Frist. Senator Feingold.

Senator FEINGOLD. Thank you, Mr. Chairman. I would like to pursue again some of the matters we started this morning. I thank you, Mr. Negroponte, for your patience.

Again, with regard to Honduras, why did the human rights report for 1982 fail to mention the case of Oscar Reyes, who is the journalist who was arrested and tortured that year? I understand for the record that you did intervene in that case, reportedly speaking to General Alvarez about Reyes, and so it is not as if the Embassy could not verify this particular case.

Yet that year's human rights report apparently asserts that, "no incident of official interference with the media has been reported for several years. The media criticizes both government programs and civilian and military leaders frequently and freely." Can you explain this discrepancy?

Ambassador NEGROPONTE. I don't know why that particular case is not mentioned, Senator, but I don't think there is any question that we reported on the incident and the circumstances surrounding Mr. Reyes's arrest. He was subsequently, after being mistreated, and I've read about his experience from the press and other accounts, and I have also happened to have gone to meet Mr. Reyes just to talk to him personally about it, what happened to him. But I do recall that he was released by, on the order of a Honduran judge saying that there was not sufficient evidence to prosecute him for the charges under which he had originally been arrested.

Senator FEINGOLD. Well, it seems odd to me that this was not in the report, but let me ask you more generally. Can you recall any instance during your tenure as Ambassador in which human rights abuses committed by or with the complicity of the Honduran Government or military led you to recommend a reduction of the U.S. assistance to the country? Did you ever raise a prospect of such a reduction in trying to impress on Honduran officials the extent of United States commitment to human rights?

Ambassador NEGROPONTE. I think the answer to your first question, did I ever recommend a reduction of assistance, the answer would have to be no. My approach, though, was to identify the problem, raise it with the Honduran Government as I have mentioned several times in the past, raise it with the President, with the commander of the Armed Forces, the other authorities, and try to encourage them to devise strategies and also advocate policies

on the part of the U.S. Government to try to help improve the Government of Honduras ability to deal with these questions, whether it's in the area of judicial reform, support for their labor movement, support for agrarian reform and so forth. So I think I took more of an approach of trying to help them improve their institutions so that these kinds of incidents would not occur.

Senator FEINGOLD. Well—

Ambassador NEGROPONTE. That was certainly the purpose of our Administration of Justice program.

Senator FEINGOLD. Obviously I have some concerns about the Honduras era, but I do want to say regardless of my reservations, it is pretty likely you are going to be confirmed. It is hard for me to not take the advice of John McCain and Richard Holbrooke, two people who I certainly respect, and I know that their regard for you is well founded.

I will want to work with you as cooperatively as possible. I think now more than ever, we need more clear communication. I do appreciate your willingness to serve regardless of how I vote on your nomination, and I do want you to know that, and therefore, I would like to ask one more question looking to the future and our working together. It actually refers to a past event, but it is looking to future crises.

The press has revisited recently the decisions that the United States made in the spring of 1994 when the Rwandan genocide began. I would like you to comment on the manner in which the United States chose to use its influence at the U.N. in response to that emerging crisis and on the manner in which the State Department chose to characterize the Rwandan crisis. Do you believe that United States policymakers made mistakes in their response and what should we have done differently, what should the State Department have done differently?

Ambassador NEGROPONTE. I have to be very honest with you, Senator. I don't think I know enough or have read enough about that incident or that period in Rwanda to be able to give you an adequate answer at this point. I really don't.

Senator FEINGOLD. Let me simply suggest since we are looking to the future that as we all know, our failure to prevent that genocide, as it should have been called clearly and plainly by the State Department, was one of the greatest failures of our time. I would like to communicate with you and work with you in your role at the U.N. to make sure that the world community and our country in particular does not allow those kinds of tragedies to occur in Africa while we act aggressively in other places such as Europe to stop such things. So I look forward to working with you on that.

Mr. Chairman, I would like the opportunity later to put an item in the record to clarify some of these comments the Ambassador made with regard to the Reyes case.

[The material referred to follows:]

[From the Baltimore Sun, June 15, 1995]

SERIES—BATTALION 316

HOW A JOURNALIST WAS SILENCED

(By Gary Cohn and Ginger Thompson, Sun Staff Correspondents)

On the night of July 8, 1982, a dozen soldiers wearing black ski masks and carrying automatic rifles raided the home of Oscar Reyes, a journalist who wrote articles critical of the Honduran military.

Helicopters hovered above the two-story, brick house as Reyes and his wife, Gloria, were tied up and driven to an abandoned house.

They say they were stripped and tortured as accused subversives. "I told them, 'I'm not a terrorist. I never have been a terrorist,'" recalled Reyes.

"They tied my hands behind my back, hung me from the ceiling and beat me like a pinata." Reyes, now 59 and a U.S. citizen, lives with his wife in Vienna, Va.

In an interview, the couple recalled the torture they endured at the hands of Battalion 316.

Reyes says his ribs were cracked with rifle butts in one room of the secret jail while his wife was shocked with electricity in another.

Gloria Reyes, 54, says torturers attached wires to her breasts and vagina and shocked her over and over.

"The first jolt was so bad I just wanted to die. It was horrible," she said. "But then it was very strange, my body became numb. And when they shocked me again, I felt my body shake, but there was not a lot of pain."

She says that she peeked through the rags tied around her eyes and saw blood running down her legs. "I started to feel sick," she said. "I vomited and I fainted."

Through her blindfold, Gloria Reyes could see the bare walls of the living room, the gray concrete floor stained with blood and vomit. In an adjacent bathroom, she saw a blindfolded woman crouching in a corner. She wore a flowered skirt splotted with blood.

Gloria Reyes remembers the woman's screams. "She said, 'Please, just kill me. Look what you have done. Look at me. Why don't you just kill me?'"

The abduction of the Reyeses caused such a public outcry that Honduran authorities felt compelled to release them.

After a week, the Reyeses were taken to a public court and convicted of subversive activity and sentenced to six months in prison. They were released after five months.

Cresencio S. Arcos, who was press spokesman at the U.S. Embassy in Honduras when the Reyeses were kidnapped by Battalion 316, says that they were not subversives.

"It appeared to be pointless," said Arcos, who later became U.S. ambassador to Honduras. "To silence him over newspaper articles was ridiculous."

Senator ROCKEFELLER. Thank you, Senator Feingold. Senator Helms.

Senator HELMS. Mr. Chairman, I have known John Negroponte and his wife a long time. They are good people, and they have five fine children whom they adopted—two of them here—and they are known to be very kind and very helpful people and faithful servants of this Government.

This morning, Mr. Chairman, I asked unanimous consent that four letters written in June and July by Federal officials who worked with John Negroponte, I asked unanimous consent that they be made a part of the record.

Senator ROCKEFELLER. So ordered.

Senator HELMS. Let me say a bit more about these letters. The first is a letter directed to the New York Times from Ambassador Negroponte's deputy in Honduras, Shepard Lowman, and it absolutely refutes the New York Times charge that Ambassador Negroponte, and I am quoting, "turned a blind eye to human rights abuses." John Negroponte never turned a blind eye to any evil, never has, never will.

The second letter was written to Chairman Biden and to me on June 18, by Theodore Wilkinson, Mr. Negroponte's Political Counselor in Honduras and Minister-Counselor in Mexico. Now this was a long time ago. Wilkinson said, and I quote, "The idea that John Negroponte suppressed information or created a climate for suppression of information as they alleged in some news accounts does not square with my experience with him."

Third is a letter to Chairman Biden and to me from Sarah Horshey, and this was dated June of this year. She was Consul-General in the Embassy in Honduras and she included a copy of a memo to the Los Angeles Times that she had written rebutting allegations by that paper against the Ambassador. And she made absolutely clear, she made absolutely clear that Ambassador Negroponte assigned her rather than a more junior officer the responsibility of looking into the fate of Father Carney, which has been the subject of testimony here.

And last but not least, I shall not identify this Federal official except in closed session if and when we do that, and I will be glad to identify him under those circumstances. You will be impressed with the fact of his integrity and his accuracy and his knowledge. He wrote to Joe Biden and me in July, and he said that the 1997 CIA Inspector General's report inaccurately attributed to him the suggestion that Ambassador Negroponte did not wish a particular intelligence report on human rights abuses to be disseminated. He said that is untrue.

Now the point I am making, Mr. Chairman, is that we have a whole tapestry of veiled charges, mostly erroneous media accounts, attacking this good and honest man, and I am sick and tired of it because I have known him, I know his character, I know his wife's character, and anybody who knows them knows also that I am correct in what I am saying.

So I submit these comments for the record in rebuttal to a lot of the things that have been said about this man which are absolutely untrue. We ought to go ahead right now, take a vote to send him to New York to represent this country as U.S. Ambassador.

I yield back whatever time I have.

Senator ROCKEFELLER. Mr. Ambassador, I just have three questions and I will just put them out and you can answer them as you wish.

You were Ambassador to the Philippines, and the Philippines, going all the way back to when I was working with the Peace Corps in the Philippines, has been a very unstable place at that time, Mindanao, Palawan, they were very destabilized then.

They are one of the countries that looks upon the Spratly Islands. There are six countries that have a rather strong feeling that they have rights to the Spratly Islands, and of course China is one of those. Now the last few days have taught us that you can never be sure where something is going to happen in this world. There are other experiences that say you can be pretty sure where the hot spots are, whether the Taiwan Strait or the DMZ, or increasingly potential, the Spratly Islands.

So I would be interested, No. 1, in your view on how you saw that in your recent service in the Philippines, the Spratly Island

situation, and what you predict for that, should you care to answer that question.

My second question is that there has been talk from time to time about reform within the permanent Security Council, and for the most part I think it is expanding it, perhaps some talk about rotating it, but I think not so much as expanding it. Two of the countries that are suggested are Japan and Germany. And I am new to this committee and therefore I have not heard discussion on that subject, but to me it is of great interest. The U.N. started back in the 1940's and it is now 60 years later and the world has changed, and changed very dramatically, so that the concept of potentially change within that Council, the permanent one, is of interest to me, if you want to comment on that.

And my third question would be the general area of China, which of course is a part of that Council, but quite apart from that, they are going through enormous changes, probably more unpredictable in terms of those changes than any other country in the world, and with consequences of vast dimensions to us. You have observed China in a lifetime of public service, you certainly observed them from the Philippines, and I am just interested in how you see working with them, their relationship, in their new sense of crisis evolution within the United Nations.

Ambassador NEGROPONTE. Thank you, Senator. On the Philippines, how I saw the Spratly issue during the time I was serving there, that's when I believe the Chinese occupied the Mischief Reef. It was called the Mischief Reef during the time that I was there, and that was a cause for some concern in the Philippines and to the United States. I think we have always taken the position that we think the disputes over the islands in the South China Sea ought to be resolved peacefully and fortunately, I don't think that there have been any serious untoward incidents since that time, although my memory might be incorrect in that regard.

I personally think that although this is a source of friction between China and Vietnam and a number of the other countries in the Southeast Asia region that have an interest or about the so-called South China Sea, that I think there are also a lot of different factors that work to those countries having an interest in good relationships with each other. I think the ASEAN countries and China have an interest in a good relationship. A lot of the investment in China comes from the Chinese community that lives in Southeast Asia.

So I would like to think that any differences over these islands can over time be resolved by peaceful means or through negotiations, but I also frankly wouldn't hold my breath. I think some of these disputes date back literally decades if not longer and they could fester for a long time to come.

I personally don't see the Spratlys or any of the disputed islands in the South China Sea as a flashpoint, if you will, to the same degree that perhaps the China-Taiwan relationship is. I think that's a much more significant security concern.

Senator ROCKEFELLER. On a level of magnitude I agree with you. It just strikes me that I do not see any equation there which reaches out for equitable and peaceful settlement. I think it is going to be increasingly touchy.

Ambassador NEGROPONTE. On the question of the reform of the Security Council, I believe our position has been over the years that we would favor the expansion of the Security Council, we have expressed support for the eventual Japanese and German membership. I think that we would be reluctant to see the membership expand too far. One doesn't want the Security Council to become an unwieldy body. After all, it has to make important decisions affecting threats to international peace and we would like to see the Council do that on an expeditious basis.

Senator ROCKEFELLER. Could I just press on that point?

Ambassador NEGROPONTE. Sure.

Senator ROCKEFELLER. That has been brought up in other fora, and that is as you expand the Security Council, that there is somehow a thought that it becomes therefore inevitably less efficient, and that may be true or it may not be true. It may be simply more inclusive but no less efficient. So I am just interested in how, when you talk about efficiency, what is it that comes to mind that might be of concern to you there.

Ambassador NEGROPONTE. Well, I guess it would be just the difficulty of mobilizing consensus among a larger number of people. I believe the Security Council started out initially as 11 and now we're up to 15. I'm not saying it shouldn't be expanded, I think that's the policy of our Government, but I think it was a question of just unwieldiness, but I think you also may be correct. It's conceivable that you could expand by a substantial number and obviously if that were to happen, we would try to make it work as efficiently as possible.

But again, I don't know when this kind of change may in fact occur. It's a subject that has been under fairly continuous discussion over the years and I am not aware that that issue is moving toward any kind of immediate resolution.

Senator ROCKEFELLER. Thank you. My time is up. Senator Hagel.

Senator HAGEL. Mr. Chairman, thank you.

Mr. Ambassador, am I correct in understanding that the annual State Department human rights reports between 1981 and 1985 indicated that there was an absolute improvement in human rights in Honduras during the time you were Ambassador? Do those reports show that?

Ambassador NEGROPONTE. Well, I believe they showed that there was a decline from the number of allegations of disappearances, and as I said earlier this morning, I believe that probably the year in which there were the most alleged disappearances was in 1981, which is the year I arrived, I arrived in November of that year, and I believe the number of allegations, and this I think is corroborated by quite a few different sources, declined thereafter.

Senator HAGEL. So I think in any fair measurement, my question would be an affirmative.

Ambassador NEGROPONTE I believe it improved, I believe that it improved even further, more significantly from 1984 onwards after the change in the top military leadership of the Honduran Government.

Senator HAGEL. Thank you. We have touched on this a bit this morning and this afternoon, but let me make sure I understand it

clearly and directly: Did you ever suggest not preparing or disseminating reports on alleged human rights violations in Honduras?

Ambassador NEGROPONTE. No.

Senator HAGEL. Take a minute if you would, Mr. Ambassador, to set the stage a bit and again, we peripherally touched on it, what was it like in Honduras when you were there, Communist guerrilla activity, certainly we now know where that came from, Nicaragua, Cuban activity, when you were there. I would like to get maybe a minute of that on the record, again, just to put some perspective of what you were dealing with in Honduras.

Ambassador NEGROPONTE. When I arrived in 1981, Senator, I believe it was the beginning of guerrilla activity in Honduras. It took the form of various types of terrorist action. There were several plane high-jackings, there was a bombing of the Tegucigalpa power plant in 1982. Late 1981 there was an attack by a Communist militant group on two of our military advisors there, one of whom was critically wounded. There was, probably the most dramatic incident that occurred during the time I was in Honduras was in September 1982 when guerrillas or terrorists took hostage the entire membership of the San Pedro Sula, that's the San Pedro Sula Chamber of Commerce, a hundred people, businessmen, held hostage for an entire week. Those are just some examples.

Senator HAGEL. So it was a bit challenging during your tenure?

Ambassador NEGROPONTE. Well, that was one of the challenging situations we did have to face, yes.

Senator HAGEL. Thank you. Now as we reel forward, there has been much concern about what happened to the United States earlier this year at the United Nations in regard to the United Nations Commission on Human Rights. Explain to this committee, Mr. Ambassador, what your intention would be to start working our way back onto that Commission; what needs to be done; how high a priority is that for you?

Ambassador NEGROPONTE. Senator, my understanding of what happened is, as you perhaps know, membership on various Commissions at the United Nations are based on allocations to regional groups, and so many seats are allocated to countries from each specific region. We are included for those purposes in what's called the Western European and Other Group at the United Nations. And very often it has been the practice for countries to submit a unified slate. If they have four seats allocated, they just present four candidates and then one gets automatically elected to that seat.

We didn't do that last year. There were more candidates from the Western European group than there were seats available and as a result, the United States lost out in that election. Our hope would be, and no final decision has been made to my understanding of exactly how we plan to proceed with respect to this next year, but as an initial step, what we are trying to ascertain is whether our European friends and the other members of the Western European and Other Group would be prepared to go back once again to the formula of having a unified slate so that we don't have the risk of this unfortunate situation repeating itself. But certainly I believe it's desirable for us to work on that Commission and to make every reasonable effort to get back onto it.

Senator HAGEL. Mr. Ambassador, thank you. Mr. Chairman.

Senator ROCKEFELLER. Thank you, Senator. Senator Kerry.

Senator KERRY. Thank you very much, Mr. Chairman. Mr. Ambassador, welcome. It is a pleasure to have you here and I appreciate the time and I apologize for not being able to be here earlier. Obviously there is a lot going on.

I gather some other colleagues have asked you about the question that has sort of bedeviled publicly this process for a while and I think somewhat unfortunately, and I know you feel that way, and I appreciate your efforts for the committee very much and I thank you for them in the sessions that you have been involved in, and I would simply ask, I do not think we need to do a lot more. I have read the record and reviewed it and I am satisfied with the process and with the answers that you have given.

I simply think, Mr. Chairman, it might be helpful just for the record to ask that those interrogatories that were submitted by the committee simply be made part of the record with the answers, if that is amenable.

Senator ROCKEFELLER. It will be done.

[The interrogatories referred to can be found on page 67:]

Senator KERRY. I would just ask you sort of in a sweeping sort of overview, if, and you have had a long and distinguished career in public life, so looking at that particular period and that particular experience, if you would look back on it and make any judgments at all about perhaps our policy as a whole or how we might have done things differently or perhaps even how you think you might have, if at all, and I wonder if you would share with the committee some thoughts.

Ambassador NEGROPONTE. You mean Honduras, that period?

Senator KERRY. Well, that particularly, but also the regional efforts, sort of that part of history, if you will.

Ambassador NEGROPONTE. Thank you, Senator. I touched on this a bit this morning and I'm delighted to repeat it again and maybe amplify on it. I believe one of the political mistakes that we made in the early 1980's was to not have a good debate of the proposed Reagan administration policies early enough in that administration. I seem to recall that the sequence of events was such that we decided on a covert action program almost as the first step, very early on, and that there wasn't really a good debate within the country except in reaction to those events as they then unfolded.

And I observed this morning and I think I'm correct in saying that the President himself didn't come to the Congress, and he addressed a joint session of Congress, I believe in 1983, so already a couple years after these events began to unfold. So to me—and it's really hard to be an ambassador in the field when your society and your body politic is divided over policy. I'm sure you can imagine the difficulty of being at the end of this chain of command when you know people are really divided back in Washington over total policy.

So I think that if there was a principal reflection that I have on the events of that time, is that I would have wished that we had more of a national debate earlier to see if we could really reach a consensus on what we can do.

And I guess the only other point, so as to not make this too long-winded a reply, is that none of us could have foreseen or it would

have been hard to foresee in the early 1980's what was going to happen to the former Soviet Union in the late 1980's and the early 1990's, and of course I think that had a fairly significant impact on the outcome in the region.

Senator KERRY. Generically also, particularly in the context of what has happened in the last hours, but this is a question I would have asked you before these last hours, based on sort of the last several years, I mean, as I travel to various countries and talk with people, there is a constant questioning of us, of United States Senators, of sort of what the United States is doing with respect to *x*, *y* or *z*, and why we behave the way we do, and we obviously defend our country and try to explain to them certain things.

But is there anything in your judgment? I mean, you are about to go to the United Nations, we all know that's a place where we have not been held in high regard, we have our dues issues, we have other issues. Is there something that you feel as a United Nations Ambassador you can specifically do or intend to do that might somehow address this, or is there anything that the administration is currently thinking of doing to respond to this sense that the United States perhaps doesn't understand what their goals or aspirations are, or doesn't perhaps understand their needs or doesn't respond enough to them or for whatever reason, in the wielding of the hand we have been asked to wield as leader of the free world, they often feel beleaguered as a consequence. Does that concern you, and is there a way that as an Ambassador to the United Nations, you can actually try to address that?

Ambassador NEGROPONTE. Well, certainly it concerns me. At the same time I think we face a dramatically altered situation now as compared to several days ago, and I think that's already beginning to show itself in the various very positive and affirmative supportive responses that we have received from the U.N. and the EU, and the Organization of American States and elsewhere. I wonder in my own mind whether we are, how low or how highly we are held in regard. I suspect feelings about us are mixed. I'm sure there is tremendous admiration for our political system and our market economy.

I think there has been resentment about the lack of payment of dues. I'm very hopeful and I sense that many others are, that we are going to be able to break that issue loose soon, I certainly hope that we can.

Senator KERRY. Do you have a sense of how quickly you think the year three Helms-Biden conditions could be met?

Ambassador NEGROPONTE. Well, I'm not positive but I think we're well on our way. I think as far as reducing the assessments for the, I think it's the ILO and the FAO and WHO, I think we have already achieved those, so I think the other benchmarks may be less difficult to achieve, so I would certainly devote an enormous amount of energy to getting that done as quickly as possible, because I think nothing would help us more than to be able to bring this issue of the dues up to date and to get our payments on a steady and consistent and reliable and predictable basis.

Senator KERRY. Well, Mr. Ambassador, my time is up. Let me say that I appreciated enormously the introduction by my good friend Senator John McCain, and also particularly that of Amba-

sador Holbrooke, and obviously we understand why he couldn't be here, but I think certainly his tribute to your skills and abilities and to your ability to fill this position is very important to all of us and we respect that.

And I might add, I notice that Tom Korologos is here, so that means this is a really important nomination.

I thank you, Mr. Chairman.

Senator ROCKEFELLER. Are there any further questions? Senator Boxer.

Senator BOXER. Thank you, Mr. Chairman.

Senator ROCKEFELLER. This will be our last round.

Senator BOXER. Mr. Chairman, I want to associate myself with the remarks of Senator Feingold, who indicated that he had some problems with this nomination, he believes it is going to go forward, as do I, and when it does, we will work together. And certainly in my situation as chair of the International Operations and Terrorism subcommittee dealing with terrorism and the United Nations, I look forward to that.

And I go back to the past and I know people are impatient with it, but I really believe in this following sentence, so if we could connect on this point. "The great countries of the world are not those that have never experienced periods of darkness and barbarity, but rather those that have been able to examine such times without fear and overcome them. True democracies must be capable of examining their past. Only in this way can they embrace the future."

So, that is the context by which I have asked these questions. I do not apologize for them and you do not apologize for your record, so neither of us is apologizing.

This is the Commission for the Protection of Human Rights in Honduras that makes the statement, that documented hundreds of disappearances in Honduras. I think we are a great country, because I think we do admit when we are wrong, and a clear example of that is the CIA IG report looking at Honduras, looking back, in the 1990's, looking back at the 1980's, our own CIA IG who said, the Honduran military committed hundreds of human rights abuses since 1980, many of which were politically motivated and officially sanctioned. CIA reporting linked Honduran military personnel to death squads.

And it goes on. It says, "the number of people from these units," meaning military Honduran units, "were involved in human rights abuses from 1980 to 1996." This is the CIA.

Now, have you had a chance to read that report, the declassified portions or the classified portions?

Ambassador NEGROPONTE. I have, and Senator—

Senator BOXER. What I am reading is the declassified.

Ambassador NEGROPONTE. Right. No, I have had a chance to read the report and I have some serious questions about certain aspects of it.

Senator BOXER. OK. I look forward to talking with you about that, because to me, this is the mark of a nation willing to look back and I am sorry that you do not agree with this but we will talk more, we do not have time, because I know you are very anxious to complete this.

Many people who lost people in Honduras have asked me to be here, so I am going to follow through for them. One of whom is a constituent of mine in San Jose. This case was detailed in the Baltimore Sun in 1995, the murder of Mr. Angel Velasquez.

In 1981, Mr. Velasquez was a 35-year-old graduate student, a teacher, a political activist, a father of three children aged eight, four and two. His sister now lives in San Jose, California. She called my staff, she said please, would I ask you why you didn't do more at the time. She said she was part of a small group of human rights activists who met with you to ask your assistance in the disappearance of Mr. Velasquez and 23 others. She said she "begged" you to pressure the Honduran Government for information about her brother. However, according to her, you stated you could not get into the internal affairs of the Honduran Government.

Do you recall this visit by this sister of Mr. Velasquez?

Ambassador NEGROPONTE. I certainly would—I do not recall it, no, but the statement attributed to me surprises me.

Senator BOXER. You do not recall telling her you couldn't get involved in the internal affairs?

Ambassador NEGROPONTE. I don't.

Senator BOXER. Are you aware of any documents we could get our hands on that might shed light on where Mr. Velasquez' remains are today? They have never been recovered.

Ambassador NEGROPONTE. I'm not, Senator. That incident occurred as you may know before I got to Honduras. I know it has been studied exhaustively by the Inter-American Human Rights Commission and it was the subject of the Human Rights Court decision.

If I could, I just would like to mention two points of fact that I feel I can't let pass.

Senator BOXER. Certainly.

Ambassador NEGROPONTE. I would like to say first, I would like to repeat what I said this morning, because I want to work with you and I look forward to working with you on these and many other issues.

As far as I am concerned, any single abuse of a person's rights is a violation too many. I believe that, and that's my philosophy. But I just want to mention two points here. There is reference to death squad activity in that stipulation of fact.

Senator BOXER. Yes.

Ambassador NEGROPONTE. And there were two CIA reports about death squad activity in Honduras. They were both generated after I left that country, they were published or circulated, disseminated in late 1985, about 6 months after I left the country. And the inspector general in his investigation determined that there were serious questions about the credibility of the sources of those reports.

And the other thing that I really want to address is you mentioned 12 people a week disappearing in Honduras. That would have been just completely out of line with any information that I was aware of, much much more than anything that I was ever aware of in Honduras.

Senator BOXER. Thank you. I would ask that we put the stipulations from the CIA IG report into the record, Mr. Chairman. They are not classified.

Senator ROCKEFELLER. It will be done.

Senator BOXER. And I will finish with this question. In the beginning, as you talked about Honduras, you talked about freedom of the press, which really raises the Reyes case, that my colleague raised a minute ago.

According to the Baltimore Sun, the matter of the abduction of Oscar Reyes along with his wife, where they were beaten and tortured with electric shocks, that you did intervene, but as I understand it, they were later brought to court and tried and convicted of "subversive activities" and sentenced to a 6-month prison term. After their release they emigrated to the United States. Do you recall this matter?

Ambassador NEGROPONTE. I had recalled it differently, I would have to go back and check. I had thought the judge released them on the grounds of insufficient evidence, I'm sorry.

Senator BOXER. I will go back and take another look. This was prepared by our staff, so it just seemed to me when you said freedom of the press, it is unusual for a journalist to be arrested, tortured and then put in jail in a place where there is freedom of the press.

So I will stop here, much to my colleagues' delight, I am certain, and to your delight, and just say that again, I think a great nation looks at mistakes and moves on, and we will move on.

Senator ROCKEFELLER. Thank you, Senator Boxer.

Mr. Ambassador, we are going to vote now and I would ask that the staff, perhaps Chairman Biden and staff, I think we have the proper number of votes to vote, but we have to get them here, so if that word could go out to the various offices now, I would just make one little personal comment in thanking you and excusing you, Mr. Ambassador.

I spent some years in my home State of West Virginia having to explain the fact that I was born in a place and brought up in a place called New York City, and that was not easy. But where I was actually brought up was directly next to the United Nations, before it was built, and it was in fact two coal bins and a meat packing plant, and it was not pretty. But ships came down the East River, delivered the live animals and then trucks, hopefully refrigerated, departed the other side and delivered their product.

And then land was donated, the United Nations was built, the world began to change, and it has been an extraordinary journey with the United Nations in terms of itself and also our own attitude about it as we have gone through various phases of anti-internationalism, et cetera, and that is a clear history.

But to me the United Nations holds a very special place, not because of where I happen to have been born but because of its role and what it has done, what it has prevented from happening, what has happened that people don't know about perhaps, and its potential, even more so when you have a world now tied together by virtually a single economy, and now a world after these last 2 days, which is perhaps going to be more aware of their international mutual obligations or not, more than ever before.

So I thank you very much for your patience. I apologize for not having been here in the morning, and I thank you very much for coming.

The CHAIRMAN [presiding]. Let me on behalf of the committee also thank your children for being so patient. As I said to them at the break at lunch, you owe them. So you owe them something very good, right kids, you owe them something special.

Senator BOXER. Tickets to "The Producers."

The CHAIRMAN. Well, whatever it is, you owe them. So kids, I would think about what it is and you let us know before we vote whether your father agrees.

And I personally will not—his record is exemplary, but I will take into consideration at least on myself whether or not he accedes to your request. Make it reasonable, but I would make the request.

And Mrs. Negroponte, thank you very much for being here, and John, we are going to be calling you a lot. We had an incredibly, I think Senator Helms will agree, an incredibly productive relationship with your predecessor, I think that's a fair statement, don't you, Mr. Chairman? And we look forward to and expect the same thing, quite frankly, because your predecessor has been probably your single biggest booster, and I would hope you would emulate his willingness to be available to this committee.

Ambassador NEGROPONTE. I will do that, sir.

The CHAIRMAN. Thank you, and thank you very much. I knew you were important when I saw you had Korologos with you.

We will recess for 5 minutes until we gather the committee and then we will hopefully vote on the nomination.

[Recess from 3:44 to 3:47 p.m.]

The CHAIRMAN. The committee will come to order. I realize this is in one sense extraordinary to complete a hearing only 5 minutes ago and move directly to a vote, but we have spent a great deal of time, all of us who are for and against, investigating the background of and the issues relating to Honduras for literally, although it has been not in one fell swoop, it has been over the last several months, and the need is extraordinary at this moment in our history to have someone at the United Nations.

I am not suggesting that anyone who does not support the nominee and there are, there is at least one, is in any way doing anything other than what is fully within the person's rights. I am not suggesting because the need is great we should put someone there who is not qualified, but I for one think he is qualified.

So unless there is further discussion, I would like to, Senator Helms, just move to call the roll.

Senator HELMS. OK.

Senator KERRY. That is the best speech you ever gave.

The CHAIRMAN. I would move—

Senator BOXER. Mr. Chairman, may I just say, you characterized, you said there may be a vote or two against, because of qualifications. Might I suggest that is not a reason that anybody gave who expressed any reservation. Qualifications, experience, talent was not the reason.

Senator FEINGOLD. Let me agree with that as well.

The CHAIRMAN. Well, I ask you to characterize it then.

Senator BOXER. I already have. I said my disagreements came when it comes to the discussion of human rights in Honduras during the 1980's.

Senator BIDEN. All right. Well then, there may be votes that are in opposition based on human rights during the 1980's in Honduras, and I did not mean in any way to try to mischaracterize anyone's position. I was making the point that any Senator is entitled to vote no if they feel this is not the appropriate person at this moment for this job, and that would be totally consistent with being a good Senator.

Senator HELMS. Did you want me to make a motion?

The CHAIRMAN. Yes please, Mr. Chairman.

Senator HELMS. Mr. Chairman, noting the presence of a quorum, I move that the nominee be reported favorably to the full Senate.

Senator ENZI. Second.

The CHAIRMAN. The motion is made and seconded.

Senator FEINGOLD. Mr. Chairman.

The CHAIRMAN. The Senator from Wisconsin.

Senator FEINGOLD. I would like the opportunity to put a statement in the record regarding my vote, which will be regrettably no. My concern does not have to do with philosophy or human rights per se, it has to do with the accuracy and full nature of the reporting with regard to the record when he was in Honduras, and that is different than a purely ideological position. I think it does relate to fitness for the position, does not relate to his overall qualifications, but as I have indicated, I am very eager to work with this very talented man. We do need somebody at the United Nations at this time and we will all come together as we are at this difficult time to work together, and I do look forward to working with him.

[The statement referred to by Senator Feingold follows:]

PREPARED STATEMENT OF SENATOR RUSSELL D. FEINGOLD

Today I cast a vote in opposition to the nomination of John Negroponte to be the Permanent Representative of the United States to the United Nations. I want to be clear about the reasons for my vote and for my reservations about this nominee.

I do not question Ambassador Negroponte's competence or skill. He is clearly an exceedingly qualified diplomat, and he comes recommended by some of the most distinguished members of this Senate and figures within the foreign policy community. His willingness to serve his country, time and again, and in difficult circumstances, is laudable.

I do question the veracity of the State Department's Human Rights Reports for Honduras during the period in which Ambassador Negroponte served as Ambassador in Tegucigalpa. Simply put, those reports misled the Congress, and I believe that the confirmation hearing record contains ample support for this assertion. While it is true that Ambassador Negroponte was only one of many people involved in their compilation, as the Chief of Station at the Embassy in question he had a responsibility for them. The Ambassador has not taken responsibility for the misrepresentations in those reports in a manner that assures me he understands the critical importance of being not just truthful, but forthcoming, with the Congress. This is not an ideological point. For this reason, and taking into account the limited amount of time in which the committee was able to reflect upon his confirmation hearing, I could not affirmatively approve this nominee.

It appears that Ambassador Negroponte will indeed be confirmed by the Senate, and that he will be confirmed expeditiously in order to bring his formidable skills to bear on the urgent matters before our country in the wake of Tuesday's abhorrent terrorist acts. I fully expect that I will work cooperatively and collaboratively with him in the months and years ahead.

The CHAIRMAN. Anyone else want a minute?

Senator KERRY. Mr. Chairman, I would like to say that I respect enormously my two colleagues and their view on this, and I think it is important that they have examined, as we all have on this

committee, that record. We draw different conclusions about whether or not the weight of that has an impact on which way it goes in terms of an impact on this particular vote or this particular job, and we have a right to do that. But I think it is important to respect what they are saying. I think we all share a concern for what happened in that period of time but we draw a different conclusion about how that affects this particular job, and I would simply like that to be part of the record.

The CHAIRMAN. Well, speaking for myself, I do think that had the allegations proven to be true that he either did not allow full reporting, curtailed reporting of human rights abuses or knew of them and said nothing, then I would vote no. Having examined the evidence, I do not think from my perspective that case has been made and I am prepared to give the benefit of the doubt, and it is only a slight doubt in this case in my view, to a man whose career has been exemplary and whom I do think would make, will make an excellent Ambassador to the United Nations.

And I would ask unanimous consent that any Senator who wishes to have a written explanation as to the reason for his or her vote, that the record remain open for 24 hours to be able to do that.

Senator BOXER. Thank you.

Senator BIDEN. With that, if there is no further discussion, I would ask the clerk to call the roll.

The CLERK. Mr. Sarbanes?

The CHAIRMAN. I have no proxy.

The CLERK. Mr. Dodd?

The CHAIRMAN. Again, I have no proxy.

The CLERK. Mr. Kerry?

Senator KERRY. Aye.

The CLERK. Mr. Feingold?

Senator FEINGOLD. No.

The CLERK. Mr. Wellstone?

The CHAIRMAN. No, by proxy.

The CLERK. Ms. Boxer?

Senator BOXER. No.

The CLERK. Mr. Torricelli?

The CHAIRMAN. Aye, by proxy.

The CLERK. Mr. Nelson?

Senator NELSON. Aye.

The CLERK. Mr. Rockefeller?

Senator ROCKEFELLER. Aye.

The CLERK. Mr. Helms?

Senator HELMS. Aye.

The CLERK. Mr. Lugar?

Senator LUGAR. Aye.

The CLERK. Mr. Hagel?

Senator HAGEL. Aye.

The CLERK. Mr. Smith?

Senator SMITH. Aye.

The CLERK. Mr. Frist?

Senator FRIST. Aye.

The CLERK. Mr. Chafee?

Senator CHAFEE. Aye.

The CLERK. Mr. Allen?

Senator HELMS. Aye, by proxy.

The CLERK. Mr. Brownback?

Senator BROWNBACk. Aye.

The CLERK, Mr. Enzi.

Senator ENZI. Aye.

The CLERK. Mr. Chairman?

The CHAIRMAN. Aye.

The vote is 14 to 3. The nomination is approved.

Before we dismiss, we are having a hearing on four more nominees this afternoon which the President feels he needs very badly, all career people, but I think it is important we have the hearing, and I would raise the question—well actually what I am going to do is consult with the ranking member, with Senator Helms, but we should consider whether or not after the hearing we are prepared to discharge or whether we have an open vote again, after consultation with the chairman.

They are the nominees for, Pat Kennedy, the U.N. Representative for Management and Budget Reform; Ron Neumann, the Ambassador to Bahrain; Marcelle Wahba, Ambassador to the United Arab Emirates; Laura Kennedy, Ambassador to Turkmenistan.

These are all four career officers. The first two, Kennedy and Neumann, have been confirmed by the Senate previously.

Now there was—I say to my Republican colleagues, there was a longer list that was requested. I made a judgment that they weren't as urgently needed in the sense of doing this on this incredibly expedited fashion here, No. 1. And No. 2, I promise you we will move on them quickly but we are not moving on them today. These were the four that seemed to be the most needed in the environment where the Secretary of State is trying to generate a consensus in the Middle East and get the U.N. going, as well as those whom we could scrub very quickly and move on very quickly and be consistent with our oversight responsibilities in the Senate.

That is why these are the four. It does not mean that others that were requested that be moved essentially without a hearing are not going to be moved. I just state for the record, I do not think anyone can suggest we have not moved as rapidly as any committee ever as on moving the Presidential nominees, but I am not prepared to move anyone other than—

Senator BOXER. Could we move those now?

The CHAIRMAN. Well, I do not want to do that until we actually have their hearing. We are going to have their hearing, we are going to have a hearing in 5 minutes so that we can publicly scrub this.

I realize it is a distinction, but it is a distinction with a difference rather than a distinction without a difference.

Senator WELLSTONE. Mr. Chairman, could I ask unanimous consent of my colleagues that my vote on the Negro ponte nomination be a present vote as opposed to by proxy?

Senator BIDEN. Yes, without objection, that will be the case.

So, we will report the Negro ponte nomination to the floor forthwith, and we are adjourned until 5 o'clock in S-116 in the Capitol.

[Whereupon, at 3:54 p.m., the committee adjourned, to reconvene subject to the call of the Chair]

INTERROGATORIES SUBMITTED BY THE COMMITTEE

RESPONSES OF AMBASSADOR JOHN D. NEGROPONTE TO QUESTIONS SUBMITTED BY THE COMMITTEE

Question 1. How did you prepare for assuming your position as Ambassador to Honduras?

Answer. Between September 11 and November 4, 1981, I had about 90 different appointments with individuals throughout the executive branch and Congress who had an interest in Honduras. This included visits to DOD/ISA, the JCS, DIA, AID, The Peace Corps, the CIA, Coast Guard, IDB, World Bank, Eximbank, OPIC and NSC. I had numerous appointments within the Department of State up to and including the Deputy Secretary, who later swore me in to my position. I also met with the Honduran Ambassador, representatives of AIFLD, former Ambassadors to Central America and a number of Senators, Congressmen and staff. The focus of my orientation was to make personal contact with as many individuals as possible who had an interest in Honduras prior to taking up my post.

Question 2. Your predecessor, Ambassador Jack Binns, writes in *The United States in Honduras 1980-1981* that the Embassy staff prepared a detailed briefing book for you prior to your arrival in Honduras, which included a section on the deteriorating human rights situation in Honduras.

Did you review the briefing book? Was an assessment of the human rights situation included in that briefing book? What was that assessment? Were specific concerns raised about then-Colonel Gustavo Alvarez the Honduran CINC? What were the concerns? Did you share those concerns?

Did you speak to Ambassador Binns? Did you review any of his cables related to Colonel Alvarez or the deteriorating human rights situation?

Answer. I do not recall the briefing book, although it is entirely likely that such a book was prepared for my review. Nor do I recall reviewing any specific cables of Ambassador Binns regarding Colonel Alvarez or the human rights situation. I recall speaking to Ambassador Binns once or twice by phone regarding the status of the agrément request for my appointment to the Honduran government.

Question 3. What were your top priorities while serving as U.S. Ambassador to Honduras?

Answer. My highest priority was encouraging Honduras' return to civilian democratic rule, including protection of human rights and advancement of the rule of law in that country. Next, was to promote the economic well-being and security of Honduras through the administration of various USG assistance programs; and, third, to play a supportive role as regarded USG regional objectives in Central America, as required by Washington and as called for by the situation.

Question 4. Did you send "back channel" cables during your tenure as Ambassador to Honduras? Please describe how those cables were transmitted. Why did you utilize the "back channel" method of communications rather than other channels of communication? How frequently did you utilize this channel? What were the subject matters of such cables? Did any deal with human rights matters? How are records of back channel cables maintained by the State Department? How were such records maintained by the embassy? Why is it that none of the cables that have been provided to the Committee pursuant to its written request appear to be back channel cables?

Answer. I did send back-channel messages during my tenure in Honduras and have previously shared such messages with the Committee, e.g. in 1989 in connection with confirmation of my nomination to be Ambassador to Mexico. These messages were sent directly to intended recipients, rather than through a centralized distribution system. These messages were informal or personal in nature, similar to "official-informal" messages used in "front channel" communications in the State Department. Topics discussed in back channel messages ranged all the way from personnel matters to debates about Central America policy or discussions of US military presence in Honduras. I did not receive or respond to instructions in back-channel message. I do not believe records were kept by the Embassy or the State Department of such messages, at least not for archival purposes. I kept a file of such messages that I had drafted or received myself. The reason that no such messages were provided to the Committee in response to its written request, especially paragraph #8, is that none of my back-channel messages dealt with the topics in question.

Question 5. Did you maintain a "chron" file of memos, and/or cables you had drafted while you were Ambassador to Honduras? Did you have access to that chron file after your tenure as Ambassador to Honduras ended? Where is that chron file now? Did you keep a diary, notebook or other written record at anytime during your tenure as Ambassador?

Answer. I maintained a "chron file" of cables I drafted while in Honduras. It also contained some other information. I did have access to that file right up until my retirement when I requested the State Department's Office of IRM Programs and Services to review this file for declassification. The file is currently located in the Office of IRM Programs and Services. Other than my calendar, which is already in possession of the Committee, I kept no diaries, notebooks or other written records.

Question 6. What was the nature of your working relationship with intelligence agencies represented in the Embassy? How frequently did you meet with the Country Team and with the senior leadership of each Embassy element?

Answer. I had a good working relationship with all elements of the Embassy. Usually, I would meet once a week with the Country Team and once a week with a smaller, more restricted group. I would meet with individual agency or

Question 7. Did you regularly read intelligence reporting from Washington or from intelligence agencies represented in the Embassy? Did you ever comment on such reports?

Answer. On a selective basis, I would read reporting from all agencies represented at the Embassy. It would be customary for an Ambassador to comment on other agency reporting on subjects that relate to the country in which they are serving, although almost twenty years later I cannot recall specific examples.

Question 8. During your tenure in Honduras, what did you understand U.S. policy to be with regard to the promotion and protection of human rights? Was the effective implementation of the covert Contra program of higher priority with respect to U.S. policy? Was U.S. policy with respect to human rights in the Reagan Administration different than the previous administration in the case of Honduras?

Answer. Our policy in Honduras was to promote the return to democracy, which entailed free elections, respect for human rights and restoration of the rule of law. Support for regional policies, including implementation of policies towards El Salvador and Nicaragua were important and had high visibility; but not at the expense of our support for the consolidation of Honduras' democracy. I do not believe the Reagan Administration's policy with respect to human rights in Honduras was significantly different from the previous administration.

Question 9. What was your view, at the time, of the human rights record of the Government of Honduras during your tenure? Do you hold the same view today?

Answer. The government of Honduras was in transition from military to civilian rule. Honduras successfully held presidential elections in 1981 and mid-term congressional elections in 1983. As I was leaving Honduras in May 1985, a campaign was underway for another presidential election later that year. There was a functioning, free press and relatively strong labor movement. Given the turmoil and stresses in Central America during that period, Honduras' record in restoring democracy and creating a framework for the rule of law was a positive one. Having said that, during a period of increased and externally supported terrorism in the early 1980s there were apparent deficiencies in the Honduran legal system and administration of justice. This situation was compounded by the inadequate resources and insufficient professionalism of law enforcement authorities. This situation led at times to abuses of authority by Honduran police officials. But I did not believe then, nor do I believe now, that these abuses were part of a deliberate government policy.

Question 10. What specific efforts did you undertake to promote human rights in Honduras? How frequently, and at what levels, did you communicate concerns about human rights with Honduran government officials? Did you raise specific cases with such officials, did you raise general policy concerns, or did you do both? Did you meet with representatives of non-governmental organizations working on human rights issues?

Answer. Within months of my arrival in Honduras the Embassy undertook a review of the Honduran criminal justice system in light of the terrorist threat. In November of 1982 I specifically raised the issue of what we considered to be inadequate judicial procedures and human rights violations of suspected terrorists with President Suazo and General Alvarez, and proposed that they consider an action program to improve the judicial system. There were follow-up steps in 1983, which

ultimately led to revision of the Honduran penal code and the establishment of a USAID-financed administration of justice program. In addition to the above-mentioned discussions, the telegraphic record shows that at one time or another I also discussed these issues with the Foreign Minister, the Minister of the Presidency and the President of the Supreme Court. In addition to general policy concerns, I at times raised specific cases, although on a day-to-day basis these were more likely to be raised by the political counselor or political officer following human rights issues. In another important human rights area, we worked closely with the international community to assist refugees who had fled warfare and repression from Nicaragua, El Salvador and Guatemala. At its peak, refugee presence in Honduras was about 80,000, which would be proportionately equivalent to almost 6 million refugees in the US. I am sure I met occasionally with representatives of NGOs working on human rights issues, although I do not recall specific meetings, except in the refugee area. Embassy political officers would meet quite often with such representatives.

Question 11. What was your role in reporting to Washington, via regular reporting channels, informal channels, and in the annual Country Reports on Human Rights Practices, On human rights developments in Honduras? You indicated in your July 26 written response to the Committee that there were 350 cables sent from the embassy that related to human rights during your tenure as Ambassador. To what degree were you personally involved in the drafting of, or approval of, specific cables related to human rights? Does this number include cables that would have been transmitted by back channel?

Answer. My personal role in reporting on human rights in Honduras was not extensive. Reporting in this area was essentially the responsibility of the Embassy's Political Section. In regard to the annual draft human rights reports, I recall focusing on the introductory passages because of my interest in placing Honduras' human rights performance in an appropriate regional context. While I may occasionally have offered an editorial comment in regard to the body of these draft reports, I was not proactive in their preparation. I should add that I never suppressed or in any other way discouraged human rights reporting. As mentioned earlier, there was no back channel message on human rights.

Question 12. Ambassador Binns has also written that, in June 1981, then Assistant Secretary of State for Inter-American Affairs Thomas Enders suggested that Binns restrict reporting of his concerns about the human rights situation to the back-channel.

Was it U.S. policy during your tenure to limit the reporting and/or dissemination of information about Honduran human rights abuses? Were you instructed by the Secretary of State or other U.S. officials to limit such reporting and/or dissemination? Did you instruct officials or otherwise suggest to embassy staff that they limit reporting and/or dissemination of alleged human rights abuses? What were your instructions to the embassy staff on such reporting on human rights issues?

Answer. Ambassador Enders never gave me any instruction similar to the one Ambassador Binns says he received in June 1981. Nor did I receive any instruction from Secretary Shultz or other USG officials to limit or otherwise restrict human rights reporting. Nor did I give such instructions to any one in the Embassy. My guidance to the DCM and the Embassy Political Counselor was to call things as they saw them. In one particular instance, the Olancho operation where allegations were based on very sensitive intelligence, dissemination was limited. But this was entirely consistent with the sensitivity of the intelligence and not in any way an unusual practice.

Question 13. On November 2, 1983, Deputy Assistant Secretary of State Craig Johnstone wrote you a letter expressing his concerns about a cable he had read about the so-called Olancho massacre in which a number of leftist guerrillas were captured and executed by elements of the Honduran Armed Forces. Why did you think that Mr. Johnstone wrote a letter to you rather than send his comments through normal State Department channels? How did you interpret his handwritten notation on the letter, "John, use as you see fit. The problem is a real one."

Answer. I believe Mr. Johnstone wrote me a letter rather than a cable because the letter referred to a very restricted and sensitive report. Eighteen years after the fact, it is hard for me to interpret Mr. Johnstone's handwritten note; but I suspect it did not influence my course of action one way or another.

Question 14. Did you discuss the cable to which Mr. Johnstone was referring with anyone in the Embassy before it was sent? With whom? Please describe. Did you

discuss the cable and/or Mr. Johnstone's concerns about the matter with anyone in the Honduran government? With whom? Please describe.

Answer. Although I do not recall the specific conversation, I could not possibly have written the response I wrote to Johnstone without receiving professional advice from within the Embassy as to the reliability of the sources. I did confront General Alvarez with the allegations contained in the cable in a meeting on November 15, 1983. He denied the allegations. An account of my meeting with General Alvarez is contained in my letter of November 18, 1983, to Mr. Johnstone.

Question 15. Do you believe that General Alvarez or other senior Honduran government officials authorized or sanctioned illegal detentions, disappearances, torture or assassination of individuals who were suspected of subversion by the Honduran military?

Answer. I believe the practice of detaining prisoners well beyond the 24-hour period constitutionally allowed for arraignment or the six-day period allowed for a judge to decide on the appropriateness of continued detention was fairly widespread and acquiesced in at high levels in the Honduran military and judiciary, including General Alvarez. (This was noted in Embassy Tegucigalpa cable 8874 of August 23, 1983, which has been provided to the Committee.) I do not believe disappearances, torture or assassination were a deliberate government policy. There were instances, however, where General Alvarez could reasonably have been suspected of acquiescing in a disappearance but I do not recall seeing any evidence to such effect.

Question 16. Were you aware that Argentine military advisors were present in Honduras at any time during your tenure as Ambassador? Do you know who requested such advisors? What did they do? Did the U.S. have any role in the decision by the Honduran government to utilize Argentine advisors? When did Honduras cease using Argentine advisors? Why? Do you know who paid for these advisors? Were U.S. funds involved?

Answer. My understanding is that Argentine advisors were in Honduras prior to and early in my tenure in Honduras. They were there advising the incipient anti-Sandinista "Contra" forces. Once the United States assumed the funding for the "Contras," the Argentine advisors were removed. I am not aware and am inclined to doubt that the U.S. either funded the Argentine advisors or recommended they be utilized by the Hondurans. Any decision regarding introduction of Argentine advisors would have been taken well before my arrival in Honduras.

Question 17. Who were General Alvarez' most frequent contacts at the Embassy? You? The CIA? The Milgroup? Why was General Alvarez invited to visit Washington in 1982? With whom did he meet during his visit?

Answer. General Alvarez had substantial contacts with the various elements of the Embassy concerned with military, law enforcement and regional security matters, as well as the "contra" program. He also had close relations with the U.S. Commander in Panama. I personally met with Alvarez on a periodic basis, quite often to bring Washington visitors from either the Executive or Legislative branches, but I was not his most frequent American interlocutor. Although I no longer recall the details, I am quite certain Alvarez was invited to Washington in 1982 to discuss Honduran defense needs as well as US/Honduran cooperation in confronting the Central America situation. I recall his having meetings at State, Defense, and CIA. I did not accompany him on his visit.

Question 18. From what sources did you learn about cases of human rights violations in Honduras? Which staff in the Embassy reported human rights violations to you? How frequently were human rights cases, particularly disappearances, reported in the Honduran media during your tenure?

Answer. While I recall learning about the human rights situation in Honduras from a variety of sources, the principal source would have been the political section of the Embassy. Reporting on alleged violations would have been the specific responsibility of the political officer charged with human rights reporting. Other sources of information on human rights in Honduras would have been the press, the families of victims, non-governmental groups, the Honduran government itself and only very occasionally, intelligence reports. While I do not recall the frequency of reporting on human rights abuses by the Honduran media, the press was free to report on such matters and did so with regularity.

Question 19. The Country Reports on Human Rights Practices on Honduras during your tenure contains very little discussion of specific cases of human rights abuses. Why is that the case?

Answer. The draft human rights report submissions from the Embassy followed the established pattern and format for such reports at that time. They tended to be fairly general, although significant developments or events were of course mentioned and they became somewhat more detailed later in my tenure. In the latter part of the 1980's the methodology of the Department's reports was modified and considerably more detail was incorporated. Starting in 1987, published human rights reports for Honduras were more than twice as long as reports in the earlier part of the decade.

Question 20. Did you ever raise the issue of the fate of Father James Carney with General Alvarez? Was this in writing or verbally? What was his response? Did you report to State, NSC or the CIA about such exchanges? Were you concerned about the Carney family's activities in Honduras? What was the nature of the your concerns? Did you ever meet with the Carney family? If not, why not? Was General Alvarez concerned about the activities of the Carney family in Honduras? What were his concerns? Did he share such concerns with you? What was your response to his concerns?

Answer. While I do not specifically recall raising the fate of Father Carney with General Alvarez, it is likely that I did, since Alvarez' letter to me of November 11, 1983, deals with his case. The Embassy reported fully to all concerned in Washington on whatever information we were able to develop on Father Carney's whereabouts. In fact, I specifically assigned responsibility for this case to our Consul General, Sarah Horsey, who spent literally weeks tracking down leads from whatever source. She interviewed some 20 surviving guerrillas from the Olancho incident. She made herself fully available to the Carney family and facilitated their travel to the jungle region where we presumed Father Carney to have perished. I do not recall having any concerns about the activities of the Carney family while they were in Honduras and I met with them for an hour on October 4, 1983. If General Alvarez had any such concerns, I doubt they influenced or affected the professionalism with which I or our Consul General carried out our responsibilities.

Question 21. Did you raise the issue of Father Carney with anyone else in the Honduran Government? Please describe the nature of those inquiries.

Answer. Again, our Consul General was responsible for pursuing this issue with the Honduras government. I do not recall raising the matter personally with anyone else in the Government of Honduras. However, since we sent at least two diplomatic notes to the Foreign Ministry inquiring about Father Carney, the Government of Honduras cannot have been in any doubt as to our strong and continuing interest in his welfare and whereabouts.

Question 22. You stated in a written response to the Committee dated July 26, 2001 (the amended response) that you became "aware of the existence of the 316th (Battalion) as a military intelligence unit sometime in late 1984 or early 1985, although not by that name. I simply knew it as part of the Honduran military intelligence service . . ." Press reports have indicated that the United States was responsible for establishing and training an intelligence unit within the Honduran military and that his unit came to be known as Battalion 3-16. Were you aware of this effort during your tenure as Ambassador? Were you aware of any special units in FUSEP (or in the other branches of the military) which were known to be involved in human rights violations in Honduras? By what names did you know these units and what did you know about their activities?

Answer. My understanding, based on information obtained after leaving Honduras, was that the 316th Military Intelligence Battalion was created in early 1984 as the nucleus of a Honduran military intelligence service. I believe that this was a Honduran initiative, although it received USG collaboration. I became aware in general terms of this collaborative effort in late 1984 or early 1985 and was given to understand that the focus of this unit's activity would be arms interdiction and border surveillance. I would note that Embassy reporting of all types contains no reference that I am aware of to human rights abuses by the 316th Battalion during the period of my 1981-85 tenure. To the extent that abuses of authority occurred, I believed then (and still do now) that the principal perpetrators were the National Police (FUSEP) . Within the FUSEP there was a unit called the National Department of Investigations (DNI). Criticism of the Government human rights performance by the press and family members of alleged victims was usually directed at the FUSEP, although specific proof or credible evidence of violations was by its very nature difficult to obtain.

Question 23. You stated during your nomination hearing in 1989 that you had never seen any convincing substantiation that they (Battalion 3-16) were involved

in "death squad-type activities" during your tenure as Ambassador. Is that still your belief? What is your definition of "death squad type activities?" Was there any evidence that such activities had been undertaken by any elements of the Honduran government or military, including the unit that has become that has come to be known as Battalion 3-16?

Answer. I am not aware of substantiation from U.S. government sources that the 316 Battalion was involved in death squad activities. I base this on my reading of information provided to me since my departure from Honduras in 1985. Senator Dodd's question to me at my hearing in 1989 was whether the 316th Battalion was a "death squad." My answer to that question would continue to be that it was not. As for the definition of "death squad activities," I associate this term with the paramilitary or right wing units of the sort that operated in neighboring El Salvador at the time. Their activities were on a systematic scale vastly larger than anything that happened in Honduras. Having said that, I believe that the Honduran law enforcement officials did at times badly mistreat suspected terrorists and on a number of occasions may have killed them.

Question 24. How many individuals were alleged to have "disappeared" by Honduran human rights activists during your tenure as Ambassador? Do you believe such disappearances took place? When did most of those disappearances occur? Was it during the tenure of General Alvarez as CINC? Did allegations of human rights abuses diminish after General Alvarez was replaced as CINC?

Answer. The annual Human Rights report for 1981 states that there were reports of as many as 60 mysterious disappearances during that year. The draft of this report was submitted to Washington prior to my arrival at post; and then Colonel Alvarez was not the CINC. The annual Human Rights report for 1982 states that there were allegations of 22 such disappearances that year. The annual report for 1983 states that according to two NGO's some 10 persons seized in public during 1983 had not been released, turned over to courts, acknowledged to be in custody or found dead. General Alvarez was CINC during the entire years, 1982 and 1983. The annual report for 1984, citing the Committee for the Defense of Human Rights, mentions 5 new cases of unexplained disappearances during the period January to March; when General Alvarez was still CINC. There were no allegations of disappearances for the remaining months of 1984, after Alvarez had been replaced. The annual report for 1985 states that no disappearances were documented in that year. According to local human rights organizations in 1985, 118 disappearances in the decade 1974 to 1984 remained unexplained. I believed at the time that many, if not all, of these alleged disappearances had taken place; but that in the absence of solid information it was not easy to explain the circumstances of specific cases. In any event, based on contemporaneous information from human rights organizations, at least half of these cases would appear to have occurred prior to my arrival in Honduras.

Question 25. In June 1995, the *Baltimore Sun* reported on 1988 testimony by then-Deputy Director of the CIA Richard Stolz concerning CIA training of Honduran military personnel in interrogation techniques. Were you aware that such training was taking place while you were Ambassador? Were you briefed on the content of the training? Would U.S. trainers require country clearance before performing such training in country? Who granted country clearance for such trainers to be in Honduras for training purposes?

Answer. I do not recall whether I was aware of the specific training referred to in the question; although I was, of course, aware in general terms of our cooperation in the intelligence area. Nor do I recall the details of country clearance for any such activities. Normally, the country clearance function would have been handled by the Deputy Chief of Mission.

Question 26. What was your role in the day-to-day operations of the CIA-funded Contra program? Did you ever involve yourself in operational decisions concerning the program related to the training, equipping, or deploying Contra forces? Did you spend a great deal of time on Contra-related matters, some time, or very little time? Did you oppose Congressional oversight visits to Contra camps in Honduras during your tenure as Ambassador? Why?

Answer. As I said in my response to a question from Senator Pell in 1989, I was not involved in the operational details of Contra activities and my contact with Contra leaders was strictly limited. For example, the first time I met a Contra leader after my arrival in Honduras in November 1981 was in March or April of 1983 in connection with a visit by members of the House Intelligence Committee. Thereafter I had a total of perhaps four meetings with Contra leaders in the remainder

of my 3-year tour in Honduras. I would say I spent 5 percent of my time on Contra-related matters, at most. While I never explicitly opposed Congressional visits to Contra camps, I believed that visits from high-profile members of either the Legislative or Executive branches could undermine the supposedly covert nature of the Contra program. Also, there was always an element of danger in such visits. I personally never visited a Contra camp and politely discouraged others from doing so, unless there was a compelling need.

Question 27. The number of individuals assigned to the embassy in Honduras grew substantially during your tenure. What was the high point? When? At the high point how many U.S. personnel assigned to the embassy (including the milgroup and intelligence agencies) were dedicated to overseeing or operating the Contra program?

Answer. The number of authorized personnel at Embassy Tegucigalpa in 1982 was 105 Americans and 115 national employees. In 1985 these numbers were 179 and 211 persons respectively. In each instance these figures refer to employees of eight different U. S. government departments and agencies. In addition, in 1985, these were 250 Peace Corps volunteers compared to 200 in 1982 (the largest program in Latin America); and approximately 1,200 U.S. military personnel on TDY in Honduras, not counting those on exercises. I do not have a further breakdown by agency or department; but I believe the largest personnel increases at the Embassy during my tenure were attributable to the growth in our economic and military assistance programs.

Question 28. How did the work of the Kissinger Commission relate to your tenure as Ambassador in Honduras? Do you believe that reports of significant human rights abuses by the Honduran military would have affected the conclusions and recommendations of the Commission as it related to Honduras?

Answer. The Embassy cooperated fully with the Kissinger Commission and welcomed a Commission delegation to Honduras in 1983. Although I no longer recall the details, I know we did our best to give the Commission a comprehensive assessment of the situation confronted by Honduras at the time. We also exposed the delegation to a wide spectrum of Hondurans in a very short period of time. I believe the Commission made its recommendation on the basis of a realistic picture of the Honduran situation. I do recall that they seemed very pleased by their visit.

Question 29. Were you concerned that reports of significant human rights abuses in Honduras would have adversely affected U.S. Congressional support for continued economic and military assistance for Honduras?

Answer. No.

Question 30. What steps have you taken to review your record in Honduras in order to prepare for your confirmation hearings for the post to which you have been nominated? You indicated, in reply to an earlier written question, that you were interviewed by the staff of the Senate Select Committee on Intelligence in January 1989. What was the subject of the interview? Have you reviewed the memorandum of record summarizing the interview? Does the memorandum accurately reflect your recollections of the interview? Have you reviewed the 1997 CIA IG Report entitled "Selected Issues Relating to CIA Activities in Honduras in the 1980s?" Do you have any comments on the accuracy of that report?

Answer. I have read telegrams and other reports from the period; I have reviewed the CIA Working Group and IG Reports; and I have spoken to a number of individuals who served contemporaneously in Honduras or Central America, including three former Ambassadors to El Salvador. I have reviewed the January 12, 1989, Memorandum for the Record of my interview with SSCI Staff, although I was not permitted to keep a copy. I believe the memo is accurate in parts but in other parts I believe the drafting either generalized or was too simplistic and categorical in characterizing my responses. My recollection of the interview was that it related specifically to the June 5, 1988, *New York Times* piece—by James Le Moyne and the case of Inez Murillo. Many of the comments attributed to me by the memo make much more sense in the context of responses about one case, rather than about the human rights situation in general. In that sense, I do not believe my meeting with SSCI staff is fairly recorded by the 1989 memo and I would add that I was not given an opportunity to review it at the time.

I have reviewed the CIA IG Report entitled "Selected Issues Relating to CIA Activities in Honduras in the 1980's" dated August 27, 1997. Whether inadvertent or not, the report is grossly unfair to me. First, it was selectively declassified in 1998 without my receiving any prior notification; and yet I am the only U.S. government official identified by name in the publicly released version. Secondly, the conclusion

in paragraph 364 (p.126) that reporting on human rights violations by the Honduran military from a particular source was actively discouraged because of concerns I had expressed is absolutely false. The Committee has received a letter from the responsible action officer at the Embassy at the time stressing that he had no recollection of ever discussing the 1983 draft report in question with me; that he was not aware of any instance in which I sought to suppress or otherwise restrain reporting on the human rights situation in Honduras; and that decisions in regard to such reports were made on the merits and not extraneous political considerations. I also thought it was unusual that in its conclusions on p. 126, the IG chose not to mention at all the many questions that had been raised about the reliability of the report in question and its source by the Defense Attaché and DIA analysts, among others. The conclusions also made no mention of comments reported in earlier paragraphs by three individuals who had worked directly for me in Honduras to the effect that I never made any efforts to stifle human rights reporting. So, in addition to being unfair and misleading, I believe the IG conclusion leaves almost the opposite impression of what my actual attitude and practice was.

Question 31. Have you ever met Dr. Leo Valladares Lanza, National Commissioner for Human Rights in Honduras? What is your view of his work as commissioner for human rights?

Answer. I believe I met Dr. Valladares when he was an advisor to the Honduran Foreign Ministry. I did not know him as National Commissioner for Human Rights and have no opinion on his work in that area. Dr. Valladares is highly regarded by Mr. Theodore Wilkinson who was Political Counselor at the Embassy in Tegucigalpa towards the end of my tenure in Honduras.

Question 32. What is your opinion of the Inter-American Court of Human Rights? Are you aware that in September 1987 it had tried three cases of disappearances that had occurred in Honduras during 1981-1984? Are you aware that in 1988 the Court found in the case of Velasquez Rodriguez that the government of Honduras had violated its obligations under the American Convention on Human Rights? Are you aware that the Court also concluded in that case that 100-150 persons disappeared in Honduras from 1981-1984; that those disappearances followed a similar pattern involving kidnapping in broad daylight; that it was well known in Honduras that such kidnappings were carried out by the military, the police, or their agents; and that these disappearances were carried out in a systematic manner? When did you learn of the actions by the Court? Do you have any opinion about the Court's verdict and conclusions with respect to the Government of Honduras?

Answer. While I may have been generally aware of the legal action underway against Honduras in the Inter-American Court of Human Rights in the late 1980's, I was not versed in the details. I would note that the Court did find against Honduras in two of the three cases. Of these two, one concerned an incident that had occurred before my arrival in Honduras; the other while I was, in Honduras. As regards disappearances, I believe my answer to #24 is responsive.

SERVICE IN MEXICO

Question 33. Were you aware during your tenure as Ambassador to Mexico of any allegations of that members of the Salinas family were involved in illegal activities including money laundering or illicit narcotics trafficking? If so, when?

Answer. No.

Question 34. Were you aware of the existence of a relationship between the Salinas family and the late Carlos Hank Gonzalez (CHG) and other members of the Hank family? What was the nature of that relationship?

Answer. Mr. Hank was a two-time member of Salinas' cabinet. That is the only relationship I was aware of.

Question 35. Were there credible allegations during your tenure as Ambassador to Mexico concerning the Hank family's alleged connections to the Mexican narcotics trade? When did you first become aware of these allegations? What steps did you take when this information became known to you?

Answer. No.

Question 36. Did you ever discuss Carlos Hank Gonzalez and family with U.S. law enforcement or intelligence officials assigned to the embassy? What was the substance of those discussions? Did you ever discuss issues related to Carlos Hank Gonzalez and family with U. S. officials in Washington (State, Justice, CIA, FBI, DEA)? Please describe the substance of those discussions.

Answer. Not that I recall.

Question 37. How many times did you meet with Carlos Hank Gonzalez? How many times were you a guest at Carlos Hank Gonzalez's house or on his yacht? How many times have you met with Carlos Hank Gonzalez's son, Carlos Hank Rhon?

Answer. My calendars show that I met Professor Hank on August 8, 1989, when he was Secretary of Tourism; and then as Secretary of Agriculture on the following dates: 1/17/90, 1/29/90, 12/20/91, 6/19/92, and 11/10/92. I cannot locate my calendar for 1993; but know that I saw him at least once in 1993 when Secretary of Agriculture Espy visited Mexico. I only saw Professor Hank in an official capacity, principally in connection with the agriculture provisions of NAFTA. I was never a guest at his home or on his yacht. I believe I met his son Carlos Hank Rhon once in Tijuana when I was visiting our Consulate General there. I had no dealings of substance with Mr. Hank Rhon.

Question 38. Have you ever had any business relationships with the Salinas or Hank families, or any of the companies they control? Please describe.

Answer. No.

