

**THE NOMINATION OF DR. CONDOLEEZZA RICE
TO BE SECRETARY OF STATE**

HEARINGS

BEFORE THE

**COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE**

ONE HUNDRED NINETH CONGRESS

FIRST SESSION

—————
JANUARY 18 AND 19, 2005
—————

Printed for the use of the Committee on Foreign Relations



Available via the World Wide Web: <http://www.access.gpo.gov/congress/senate>

U.S. GOVERNMENT PRINTING OFFICE

22-847 PDF

WASHINGTON : 2005

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2250 Mail: Stop SSOP, Washington, DC 20402-0001

COMMITTEE ON FOREIGN RELATIONS

RICHARD G. LUGAR, Indiana, *Chairman*

CHUCK HAGEL, Nebraska	JOSEPH R. BIDEN, Jr., Delaware
LINCOLN CHAFEE, Rhode Island	PAUL S. SARBANES, Maryland
GEORGE ALLEN, Virginia	CHRISTOPHER J. DODD, Connecticut
NORM COLEMAN, Minnesota	JOHN F. KERRY, Massachusetts
GEORGE V. VOINOVICH, Ohio	RUSSELL D. FEINGOLD, Wisconsin
LAMAR ALEXANDER, Tennessee	BARBARA BOXER, California
JOHN E. SUNUNU, New Hampshire	BILL NELSON, Florida
LISA MURKOWSKI, Alaska	BARACK OBAMA, Illinois
MEL MARTINEZ, Florida	

KENNETH A. MYERS, JR., *Staff Director*
ANTONY J. BLINKEN, *Democratic Staff Director*

CONTENTS

	Page
DAY ONE—JANUARY 18, 2005	
Lugar, Hon. Richard G., U.S. Senator from Indiana	
Opening statement	1
Round One Questions	22
Round Two Questions	99
Biden, Hon. Joseph R., U.S. Senator from Delaware	
Opening statement	4
Round One Questions	26
Round Two Questions	102
Feinstein, Hon. Dianne, U.S. Senator from California, introduction of the nominee	9
Rice, Dr. Condoleezza, nominee to be Secretary of State, opening statement	11
Prepared statement	18
Hagel, Hon. Chuck, U.S. Senator from Nebraska	
Prepared statement	30
Round One Questions	31
Round Two Questions	106
Sarbanes, Hon. Paul S., U.S. Senator from Maryland	
Round One Questions	35
Round Two Questions	109
Chafee, Hon. Lincoln , U.S. Senator from Rhode Island	
Round One Questions	38
Round Two Questions	114
Dodd, Hon. Christopher J., U.S. Senator from Connecticut	
Round One Questions	41
Round Two Questions	116
Round Three Questions	145
Allen, George, U.S. Senator from Virginia	
Round One Questions	47
Round Two Questions	121
Kerry, Hon. John F., U.S. Senator from Massachusetts	
Round One Questions	50
Round Two Questions	125
Round Three Questions	149
Coleman, Hon. Norm, U.S. Senator from Minnesota	
Round One Questions	55
Round Two Questions	128
Feingold, Hon. Russell D., U.S. Senator from Wisconsin	
Round One Questions	59
Round Two Questions	131
Voinovich, Hon. George E., U.S. Senator from Ohio	
Round One Questions	63
Round Two Questions	134
Boxer, Hon. Barbara, U.S. Senator from California	
Round One Questions	67
Round Two Questions	136

IV

	Page
Murkowski, Hon. Lisa, U.S. Senator from Alaska	
Round One Questions	74
Nelson, Hon. Bill, U.S. Senator from Florida	
Round One Questions	77
Alexander, Hon. Lamar, U.S. Senator from Tennessee	
Prepared statement	84
Obama, Hon. Barack, U.S. Senator from Illinois	
Round One Questions	86
Round Two Questions	141
Sununu, Hon. John E., U.S. Senator from New Hampshire	
Round One Questions	90
Martinez, Hon. Mel, U.S. Senator from Florida	
Round One Questions	93

DAY TWO—JANUARY 19, 2005

Lugar, Hon. Richard G., U.S. Senator from Indiana	
Opening statement	165
Dodd, Hon. Christopher J., U.S. Senator from Connecticut	
Round One Questions	166
Chafee, Hon. Lincoln , U.S. Senator from Rhode Island	
Round One Questions	168
Round Two Questions	192
Biden, Hon. Joseph R., U.S. Senator from Delaware	
Opening statement	170
Round One Questions	173
Round Two Questions	192
Coleman, Hon. Norm, U.S. Senator from Minnesota	
Round One Questions	175
Feingold, Hon. Russell D., U.S. Senator from Wisconsin	
Round One Questions	176
Boxer, Hon. Barbara, U.S. Senator from California	
Round One Questions	179
Nelson, Hon. Bill, U.S. Senator from Florida	
Round One Questions	187
Obama, Hon. Barack, U.S. Senator from Illinois	
Round One Questions	189

BUSINESS MEETING—JANUARY 19, 2005

Boxer, Hon. Barbara, U.S. Senator from California, closing statement	197
Allen, George, U.S. Senator from Virginia, closing statement	199
Kerry, Hon. John F., U.S. Senator from Massachusetts, closing statement	200
Lugar, Hon. Richard G., U.S. Senator from Indiana, closing statement	201
Dodd, Hon. Christopher J., U.S. Senator from Connecticut, closing statement .	203
Biden, Hon. Joseph R., U.S. Senator from Delaware, closing statement Biden .	204
The Roll Call Vote	208

APPENDIXES

APPENDIX I—RESPONSES TO QUESTIONS SUBMITTED FOR THE RECORD BY MEMBERS OF THE COMMITTEE TO DR. CONDOLEEZZA RICE

Responses to Questions for the Record Submitted by Senator Richard Lugar ..	211
Responses to Questions for the Record Submitted by Senator Joseph R. Biden, Jr.	246
Responses to Questions for the Record Submitted by Senator Russell Feingold	262
Responses to Questions for the Record Submitted by Senator Bill Nelson	265

	Page
APPENDIX II—ADDITIONAL MATERIAL INCLUDED IN THE RECORD AT THE REQUEST OF MEMBERS OF THE COMMITTEE	
Prepared Statement Submitted by Senator Russell Feingold (<i>Submitted as part of the 1/19/2005 Business Meeting Prior to the Vote</i>)	273
Letter to the Chairman from the Department of State in reference to DOS support for S. 2127	274
Charts Detailing U.S. Trade Deficits Submitted by Senator Sarbanes	275
“The Right Call,” by L. Paul Bremer III, <i>The Wall Street Journal</i> , January 12, 2005	278
Comprehensive Report of the Special Advisor to the DCI on Iraq’s WMD, 30 September 2004	280
Excerpts from The White House Regular Briefing, April 10, 2003, Thursday ...	281
Correspondence from the White House Regarding H.R. 10/S. 2845 (Intelligence Reform Legislation)	283

**THE NOMINATION OF DR. CONDOLEEZZA
RICE TO BE SECRETARY OF STATE**

Day One

Tuesday, January 18, 2005

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C.

The committee met, pursuant to notice, at 9:05 a.m. in Room SH-216, Hart Senate Office Building, Hon. Richard G. Lugar, chairman of the committee, presiding.

Present: Senators Lugar, Hagel, Allen, Coleman, Voinovich, Alexander, Sununu, Murkowski, Martinez, Biden, Sarbanes, Dodd, Kerry, Feingold, Boxer, Nelson, and Obama.

**OPENING STATEMENT OF HON. RICHARD G. LUGAR,
U.S. SENATOR FROM INDIANA**

The CHAIRMAN. The committee is called to order.

Let me begin by welcoming distinguished new Members to the committee who have joined us. I want to introduce Senator Lisa Murkowski of Alaska, Senator Mel Martinez of Florida, Senator Barack Obama of Illinois. We're delighted that you have chosen to be on this committee, and we assure you that we will have activity and, we hope, progress. We appreciate your coming with us, and appreciate all Members' attendance this morning.

We will proceed with an opening statement, that I will give. In the event that the distinguished Ranking Member, Senator Biden, arrives during that time, he will then deliver his statement. If he does not, he'll deliver the statement following Dr. Rice's statement and before our questioning. And I will ask, after the two opening statements, our distinguished colleague from California, Senator Feinstein, to introduce Dr. Rice.

The Committee on Foreign Relations meets today to consider the nomination of Dr. Condoleezza Rice to be Secretary of State. We are especially pleased to welcome Dr. Rice to the committee. As a result of her distinguished service as National Security Advisor to President Bush in her earlier assignments on the NSC, she is well known to many Members of this committee, and we admire her accomplishments. We're particularly thankful for the cooperation that she has provided to this committee in its work.

The enormously complex job before Dr. Rice will require all of her talents and experience. American credibility in the world, progress in the war on terrorism, and our relationships with our

allies will be greatly affected by the Secretary of State's actions and the effectiveness of the State Department in the coming years. Dr. Rice is highly qualified to meet those challenges. We recognize the deep personal commitment necessary to undertake this difficult assignment, and we are grateful that a leader of her stature is willing to step forward.

The Secretary of State serves as the President's top foreign-policy advisor, as our nation's most visible emissary to the rest of the world, as a manager of one of the most important departments of our government. Any one of those jobs would be a challenge for even the most talented of public servants, but the Secretary of State, at this critical time in our history, must excel in all three roles.

Since 2001, we have witnessed terrorists killing thousands of people in this country and destroying the World Trade Center and a part of the Pentagon. We have seen United States military personnel engaged in two difficult and costly wars. We have seen the expansion of a nihilistic form of terrorism that is only loosely attached to political objectives and is, therefore, very difficult to deter. We have seen frequent expressions of virulent anti-Americanism in many parts of the Islamic world. We have seen our alliances, our international standing, and our budget strained by the hard choices that we have had to make in response to terrorism.

In this context, many diplomatic tasks must be approached with urgency. In particular, our success in Iraq is critical. The elections scheduled for January 30 must go forward, and the United States must work closely with Iraqi authorities to achieve the fairest and most complete outcome possible. At the same time, we must understand that those forces that want to keep Iraq in chaos will commit violence and intimidation. Both Iraqis and the coalition will have to be resilient and flexible in the elections' aftermath.

The Bush administration and the State Department also must devote themselves to achieving a settlement of the Arab-Israeli conflict; to coming to grips with the nuclear proliferation problems in Iran and North Korea; to continuing urgent humanitarian efforts in Sudan, the Indian Ocean region and elsewhere; to maintaining our commitment to the global fight against HIV/AIDS and other infectious diseases; to advancing democracy in Afghanistan, Ukraine, and elsewhere; to repairing alliances with longstanding friends in Europe; to reinvigorating our economic and security relationships in our own hemisphere; and to engaging with rapidly changing national powers, especially China, India, and Russia.

Even though this list of diplomatic priorities is daunting, it is not exhaustive and does not anticipate unforeseeable events. Just weeks ago, none of us could have predicted that an earthquake and a tsunami would change the face of the Indian Ocean region. Our efforts must include the expansion of our foreign-policy capabilities so that we will be better prepared for crises that cannot be averted, and better able to prevent those that can be.

I would like to outline a handful of initiatives brought forward by this committee on which I would ask for your assistance.

First, the committee intends to report out a Foreign Affairs Authorization Bill no later than March. With the support of the Senate leadership, I am confident that the obstacles to Senate passage

that we have encountered in the past will be overcome. It is crucial that the executive branch, especially the State Department, works together with our committee on this legislation. Not only does the authorization fund the Department and foreign affairs programs, it also contains personnel and other authorities important for the Department to carry on its work effectively and efficiently. We will be calling upon you for your advice and to exercise your considerable persuasive power at key moments as the legislation works its way through Congress.

Second, the Bush administration must continue its efforts to safeguard and destroy vulnerable stockpiles of weapons of mass destruction. To this end, I plan to reintroduce legislation designed to eliminate impediments to the Nunn-Lugar program. My bill would drop conditions on weapons dismantlement work that in the past have slowed or threatened to slow the urgent task of eliminating nuclear, biological, and chemical weapons. Furthermore, the legislation removes the \$50 million cap on the President's ability to utilize Nunn-Lugar funds outside the former Soviet Union.

I will also reintroduce the Conventional Arms Threat Reduction Act, designed to improve the State Department's efforts to combat the proliferation of advanced conventional weapons, including MANPADS. The bill would unify program planning, coordination, and implementation of a global strategy into one office at the State Department.

Third, we must ensure the State Department has adequate resources to do the difficult job it faces. Under the leadership of President Bush, the administration has requested major funding increases for the State Department and U.S. foreign policy objectives. You have argued successfully for the creation of new foreign policy tools, including the Millennium Challenge account, the Global AIDS Initiative, and the new Office of Reconstruction and Stabilization.

The State Department's Diplomatic Readiness Initiative, launched by Secretary Powell, has made great progress in addressing personnel shortfalls in the Foreign Service. In addition, the State Department has continued an efficient program to upgrade security at U.S. missions around the world. Even though Congress has failed to provide all the funds requested by the President to strengthen the State Department and U.S. foreign policy capabilities, this committee is enthusiastic about the progress that you have made so far. We want to work with you to achieve the President's vision of reinvigorated diplomatic capabilities.

Finally, I would like to highlight a crucial need that has been identified by Members of this committee. Our country must improve its capacity to stabilize failing or war-torn nations, and to assist in their reconstruction. If we are to deny sanctuaries to terrorists, a goal identified by the 9/11 Commission as a top priority, we must improve planning and organization for post-conflict reconstruction operations.

Last year, the Foreign Relations Committee unanimously passed the Stabilization and Reconstruction Civilian Management Act of 2004. I appreciate the State Department's letter endorsing the purposes of S. 2127, and I ask that the letter be submitted in the record.

[The letter referred to by Chairman Lugar appears in Appendix II of this hearing transcript.]

The CHAIRMAN. In addition, a study done by the Defense Science Board endorses the legislation. The State Department has now established an Office for Reconstruction and Stabilization, as called for in the legislation.

The new office, headed by Carlos Pasqual, is doing a government-wide inventory of the civilian assets that might be available for stabilization and reconstruction tasks. It is also pursuing the idea proposed in S. 2127 of a Readiness Reserve to enable rapid mobilization of post-conflict stabilization personnel.

In addition, I hope that the office will develop the concept of a 250-person active-duty Response Readiness Corps. In Army terms, this is less than a small battalion of well-trained people—a modest but vigorous force-multiplier that would greatly improve our nation's stabilization capacity. This Corps would be composed of State Department and USAID employees who have the experience and the technical skills to manage stabilization and reconstruction tasks in a hostile environment. I consider this new office to be one of the most important long-term defenses that the State Department can mount against future acts of terrorism. I would urge the State Department to embrace the concept of a well-funded civilian stabilization and reconstruction capability.

Dr. Rice, we welcome you to the committee on this historic occasion. We look forward to a dialogue that will illuminate the direction of United States foreign policy for Members of this committee and for the American people, who are observing this hearing.

Now, at this point, I would normally call upon Senator Biden, but I would say, on his behalf, his train was canceled. He took the next one possible, and he will be here momentarily. We appreciate that very special effort.

I'm going to call now upon Senator Feinstein, our distinguished colleague from California, for her introduction of Secretary—

Ah, in the nick of time. Indeed, the distinguished Ranking Member has arrived. And I'll talk for a few minutes to give you a chance to catch your breath. And then if you will proceed with your opening statement.

Senator BIDEN. I'm ready, Mr. Chairman.

The CHAIRMAN. Well, proceed.

**STATEMENT OF HON. JOSEPH R. BIDEN,
U.S. SENATOR FROM DELAWARE**

Senator BIDEN. My purpose in being here today is to get more money for Amtrak. I want to know your position on that, Madam Secretary.

Dr. Rice, welcome. If I'm somewhat out of breath, it's because I am. There's very few people I'd run from the station for. And I welcome you, as you already have been welcomed.

And I'd also like to welcome the new Members of the committee—Senator Obama, Murkowski, and also a man who sat in your chair in a different committee, the distinguished Senator from Florida. And I want to welcome back, although I don't see him here right now, our good friend, John Kerry, a long-time member.

Dr. Rice, I congratulate you and President Bush on your nomination. We've enjoyed frequent discussions, maybe more than you would have liked, over the past four years in your office and in the Oval Office. And I've enjoyed our meetings. And I hope this will be the first of many visits before this committee.

As you know as well as anyone, America faces two overriding national security challenges in this century. We must first win the struggle between freedom and radical Islamic fundamentalism, and, in my view, with the leadership of the Chairman of this committee, Senator Lugar, keep the world's most dangerous weapons away from its most dangerous people. To prevail, we obviously have to be strong, but we also have to be smart, wielding the force of our ideas and our ideals, as well as the force of our arms.

Today, after a necessary war in Afghanistan and a optional war in Iraq, we're rightly confident in the example of our power. But we have sometimes forgotten the power of our example. Foreign policy is not a popularity contest, as you well know. We have to confront hard issues, and sometimes it simply requires us to make hard choices that other countries don't like. But, above all, these hard decisions require American leadership—the kind that persuades others to follow. We've been having a tough time doing that the past few years; that is, persuading others to follow.

Clearly, we pay a price, in my view, for being the world's sole superpower—we inspire as much envy and resentment as we do admiration and gratitude, even if we do everything correctly, in my view. But the fact is, relations with many of our oldest friends are, quite frankly, scraping the bottom right now, and we need to heed the advice of the President of the United States, just before his first inaugural, when he talked about acting with humility as well as force.

In the Muslim world—despite the hundreds of thousands of Muslims that we have helped save in Somalia, Bosnia, Kosovo, Afghanistan, and, yes, in my view, in Iraq, as well, our motives are still suspect, our actions are resented, and, as bizarre as it sounds to most Americans, the polls show that Osama bin Laden has a higher approval rating than, not only President Bush, but than America, as a whole, in most of those areas. And the result is that, despite our great military might, we are, in my view, more alone in the world than we've been in any time in recent memory. And the time for diplomacy, in my view, is long overdue.

As a result, we're in—in my view, a less secure position than we should be in the world. That's because virtually all the threats we face—from terrorism to the spread of weapons of mass destruction to rogue states flouting the rules to the pandemic diseases that we face now, and will face—can be solved solely by American soldiers, by themselves. America is much more secure working with, and reaching out to, others than it is walking alone.

And I believe the heart of your mission must be to help rebuild America's power to persuade and to restore our nation to the respect it once enjoyed; quite frankly, for our own safety's sake. And it's going to be very difficult to achieve any of this until we find a way forward in Iraq.

This committee has worked hard across party lines to support the President's decision to hold Saddam Hussein to account. In re-

turn, prior to going in, we asked the administration to do two things: one was to build a broad and deep international coalition, and, two, develop a detailed plan to win the peace. We held extensive hearings, as you know, and we had many discussions in this committee—back in the bad old days, when I was chairman, and then immediately after that, when the Chairman took over, not about the day after—we held detailed hearings about the decade after. And the administration, in my view, neither generated a deep international coalition nor had a plan to win the peace. And I think we're paying a very heavy price for it now.

We also asked the administration, most importantly, to level with the American people about how hard and dangerous Iraq was going to be, and how long it was going to take, and, to our best judgment, how much it was going to cost.

You may remember, just prior to going in, we had a meeting with congressional leaders—you were present, Secretary of State, Secretary of Defense—in the Cabinet room. And the President, as he often does—he's engaging—leaned over to me and publicly said, in front of all our colleagues, "Joe, why aren't you with me?" He called me "Mr. Chairman," which I'm not. I'm flattered he did that, but he really understands who the chairman is. He said, "Mr. Chairman, why aren't you with me?" You may remember, I said then, and publicly many times, "Mr. President, I'll be with you when two things occur. One, when you, in fact, indicate what you're going to do after we win, because winning's not going to be the hard part; and, two, level with the American people about the cost, the price they're going to have to pay."

I think one thing we all learned—whether we were for or against the war in Vietnam, whether we went or didn't go—of the Vietnam generation is that no foreign policy can be sustained without the informed consent of the American people. The informed consent.

And I think the only people who leveled with us before the war—like General Shinseki, who said it would take several hundred-thousand troops to secure Iraq, and the Economic Advisor, Larry Lindsay, who said it would cost upward of \$200 billion—were shown the door. And, since the war, Ambassador Bremer has indicated that he said he needed more force, and didn't get it. Field generals, with whom I have spoken on my three trips since 2003 to Iraq, have indicated that they need more force. And we keep hearing from the Defense Department and the President, "No, we're winning, and we don't need any additional force, and we haven't needed any additional force for the past two years."

Just last week, very quietly, the administration ended its search for weapons of mass destruction in Iraq. Not much fanfare. The administration concluded that the reason for going to war—weapons of mass destruction—did not exist, they found nothing, and said so. Quietly.

And the National Intelligence Council, the CIA's think tank, concluded that Iraq has replaced Afghanistan as the training ground for the next generation of terrorists, something it was not before the war.

Despite all that, we now learn from the President that there's no reason to hold any administration officials accountable for mistakes

or misjudgments in Iraq. According to the President, “We had an accountability moment, and that’s called the 2004 elections.”

Dr. Rice, I hope that you, as Secretary of State—and I’m confident you will be confirmed Secretary of State, and I plan on voting for you as Secretary of State—I hope you will demand accountability from the people who serve you if, heaven forbid, they misserve you to the extent that our country has been, in my view, mis-served in Iraq. This is not about punishing people or embarrassing the President; it’s about learning from our mistakes so we don’t repeat them. And a second term is also a second chance, and I hope the President will seize it. I hope he will seize it, quite frankly, by rejecting the neo-conservative notion about how we are going to, in fact, secure Iraq and the Middle East.

So I hope we can start leveling today. We’d like to hear how you see the road ahead in Iraq. What should the American people expect about what we can achieve, and when we can hope to achieve it, and how we are going to succeed? I, for one, want to work with you toward success, but I hope you’ll not give Wolfowitz answers by saying, “It is unknowable.” There’s a whole heck of a lot that is knowable.

Iraq is an overwhelming issue. And this administration, like its predecessors and the seven Presidents with whom I’ve served, is only human. Every major problem winds up on the desk of the same senior people. The same senior people. Every problem. This is not a criticism; it’s an observation. It’s not possible—in my experience of observing seven Presidents up close and personal—to give every challenge the attention it deserves.

Consequently, it’s understandable that, while we’re focused on Iraq, other problems remained, if not on the back burner, not getting full attention. But now, some of those pots are boiling over, starting with the nuclear program in North Korea and Iran, the dangerous backsliding of democracy in Russia, the genocide in Sudan, and the lack of focus on public diplomacy, which I hope, and I expect, you’ll talk about.

Over the past few years, North Korea has increased its nuclear capacity by as much as 400 percent, and now may have as many as eight nuclear weapons which it could test, hide, or sell to the highest bidder. You have said, “It is unacceptable,” for North Korea to have nuclear weapons. What does that mean? And what do you propose to do to stop this growing threat?

Over the past few years, the reform movement in Iran has been literally crushed in front of the whole world. Surrounded by about 200,000 forces, it very openly just reached out and crushed the democracy movement. So much for the notion of leveraging power.

Over the past four years, things have gotten considerably worse in Iran, and it’s accelerated its own nuclear program. There may be nothing we can do to persuade Iran not to develop weapons, mass destruction. But our European allies are trying, through a combination of carrots and sticks. They believe they cannot succeed unless the United States engages in this effort. And, in my view—and it may not be true; I’m anxious to hear what you have to say—we seem to be sitting on the sidelines. What do you propose we do to diffuse—or, if necessary, defeat—this emerging danger?

Over the past few years, President Putin has reversed the course of democratic development, human rights and the rule of law in Russia. The administration has been largely silent. How can we be so concerned about the advancement of democracy in the Middle East and so unconcerned about the regression in Russia? At the same time, we've gotten little return for turning the blind eye to Russia's regression. Just the last week, the press reported—hopefully it's not true, but I worry it may be that Russia is about to sell new missiles to Syria, which would threaten stability and progress toward peace in the Middle East.

One of the most important programs to protect America's security—the effort to help Russia account for, secure, and destroy weapons of mass destruction and related materials—has become mired in red tape that the two presidents need to cut through. How are we going to approach this problem? How are you going to approach it as Secretary of State?

And, finally, the administration has done, in my view, an admirable job of promoting peace between North and South in Sudan. But in Darfur, we have watched a terrible tragedy unfold, as militia supported by the Sudanese government have killed as many as 100,000 civilians and chased as many as two million from their homes.

I literally, as I was getting off the train, spoke to Jack Danforth, who called me. He said he hoped I would keep an open mind about the notion of carrots and sticks to deal with this problem. I'd like to know how—it seemed as though that process worked in Libya. I can't believe, had we not made the concessions or agreements we made relative to oil and their ability to produce more in cooperation from the West, and us in particular, I doubt very much, in my meeting, that—I will be precise—when I went to meet with Qaddafi, I believe, at the President's request; I know it was at yours—I am confident that—and I think you did an incredible job—I'm confident that it wouldn't have happened unless there were carrots, as well. The last four years, we've not seen many carrots except there, and that process started earlier.

Four months ago, before this committee, Secretary Powell rightly called what was going on in Sudan "genocide." Since then, the situation has gotten worse. What do you believe the administration and Congress can do, now, to stop this slaughter and to help African allies develop their own peacekeeping capacity?

There's much, much more to talk about that we'll not be able to talk about here at this hearing. Relations with emerging powers like China, fault-line friends like India and Pakistan, long-time allies in Europe and Asia, and, closer to home, the troubled—but ignored in many respects—Latin America.

I've spent a little bit of time in Europe recently, and I have one simple message: "Get over it. Get over it. President Bush is our President for the next four years, so get over it and start to act in your interest, Europe." But that requires us to engage the hoped-for diplomacy from the gentlelady from Stanford.

We want to hear your thoughts about bolstering our capacity to handle post-conflict reconstruction. I listened on the radio, and I know you spoke about that. Chairman Lugar has drafted important

legislation to do just that, which I was pleased to cosponsor. And I hope you'll support it.

And I intend to ask you about a source of urgent opportunity: the Israeli-Palestinian peace process. Abu Mazen's election may provide a rare second chance to forge a lasting, secure peace in Israel and to give the Palestinians a state of their own. I'd like to know what you believe we should do to seize this opportunity, and how urgent you think it is.

But let me end with something you've talked about and that I hope you will elaborate on today: putting diplomacy back at the center of America's foreign policy. I strongly agree that this is a time for a new diplomatic offensive with old friends, rising powers and even hostile regimes, but it has to be sustained, it has to be persistent, and it has to do as much listening as it does talking. And it has to use all the tools at our disposal—our military might, but also our intelligence, our public diplomacy, our alliances, international organizations, treaties and agreements, development assistance, trade and investment—even if it is frustrating, even if the payoff takes years, even if it takes a generation.

You often point out to me privately, and to others, with some degree of accuracy, in my view, that the corresponding difficulty after World War II and the corresponding difficulty—corresponding to the situation in Iraq—I'm not sure how applicable it is, but one way it clearly was a major, major, major, major piece of our post-reconstruction effort in Germany and after World War II was diplomacy, public diplomacy. We convinced many parts of the world that our ideas were ascendant, that we provided what was needed, and would provide what was needed, to bring security to the region, and freedom.

I remember when Lech Walesa first walked into my office, like he did to many of us here, he walked up, and I said, "Congratulations"—I said, "Solidarity." He said, "No, no, no, Radio Free Europe. Radio Free Europe."

Now we're faced with a new but no less dangerous set of challenges, and it seems to me we have to recapture the totality of America's strength. Above all, we must understand that those who spread radical Islamic fundamentalism and weapons of mass destruction although they may be beyond our reach—we have to defeat them, but there are hundreds of millions of hearts and minds around the world that are open to American ideas and ideals. There are 1.2 billion Muslims in the world, and we have to reach out to them.

So I'm looking forward to working with you to do just that; I'm anxious to hear what you have to say, and I'll have some questions.

I thank you, Mr. Chairman, for allowing me to make my statement. And, again, welcome.

The CHAIRMAN. Well, thank you very much, Senator Biden. I call now on Senator Feinstein for her introduction.

**STATEMENT OF HON. DIANNE FEINSTEIN,
U.S. SENATOR FROM CALIFORNIA**

Senator Feinstein: Thank you very much.

Chairman Lugar, Ranking Member Biden, distinguished Members of the Foreign Relations Committee, it gives me great pleasure

to introduce a friend and fellow Californian, Dr. Condoleezza Rice, as the President's nominee to be the next Secretary of State.

Dr. Rice's story began 50 years ago with her birth in Birmingham, Alabama. A precocious child, she began piano lessons at age three, could read by five, and skipped the first and seventh grades. She attended public schools before enrolling at Birmingham Southern Conservatory of Music in 1964. Her mother and father are here in spirit today. Her father, an educator and pastor, aptly nicknamed his only child Little Star. Today, she is, indeed, a big star.

Dr. Rice's family moved to Denver, Colorado, in 1969, where she entered an integrated school for the first time as a tenth grader. Staying close to home, she opted for the University of Denver, and was awarded her B.A. degree, with honors, at the age of 19.

By this time, Dr. Rice was engrossed with Soviet military issues and the related problems of arms control. She began her graduate studies on the topic at Notre Dame, and was awarded an M.A. degree in 1975. Thereafter, she returned to the University of Denver to finish her dissertation on the Czech military's effect on society.

Dr. Rice's career as an academician then brought her to my alma mater, Stanford University, in 1981, where she became an assistant professor of political science. During this time, she authored "Uncertain Allegiance, The Soviet Union and Czechoslovak Army, 1948 to 1963," and continued to follow her great interests in football and piano.

From 1989 to 1991, in the first Bush administration, she proved her mettle in government for the first time as a senior director for Soviet Affairs and East European Affairs at the National Security Council. President George Bush had this to say about her abilities, quote, "Condi was brilliant. She disarms the biggest of big-shots. Why? Because they know she knows what she is talking about," end quote.

It was then back to Stanford in the early 1990s, where she was named provost of the university. She was the first woman, first African American, and the youngest person, at age 38, to hold the position, in the school's history. For six years, she managed a one-and-a-half-billion-dollar school budget, 1400 faculty members, and 14,000 students.

She returned to the White House, as the first African American woman to serve as National Security Advisor, in January 2001.

As a young girl, Condi stood at the gates of 1600 Pennsylvania Avenue with her father, telling him that, quote, "Daddy, I'm barred out of there now because of the color of my skin, but one day I'll be in that house," end quote. She's delivered on that promise. Now she is the President's choice to be our country's next Secretary of State.

As both the Chairman and the Ranking Member have so well stated, American foreign policy today is at a crossroads—in Iraq, across the Middle East, in North Korea, in our relations with China, and in so many other places we face major challenges. I would submit that Dr. Rice has the skill, the judgment, and the poise and the leadership to lead in these difficult times. If confirmed, she will have the deep, personal trust and confidence of the President, a real asset. She has been by his side for every crucial

national security decision in the last four years. My sense is that the President trusts her implicitly. When Dr. Rice meets with Hu Jintao or Ariel Sharon or Vladimir Putin, there will be no doubt that she speaks for, and on behalf of, the President of the United States.

The problems we face abroad are complex and sizeable. If Dr. Rice's past performance is any indication, though, we can rest easy. It's difficult to know ahead of time how anyone will perform as Secretary of State. Time and events test vision, facile thinking, and resolute problem-solving. But, indeed, this is a remarkable woman that I introduce to you today, and it is with great pride that I do so.

The CHAIRMAN. Well, Senator Feinstein, we thank you for a truly remarkable introduction of our candidate.

And, Dr. Rice, before I call upon you for the opening statement, I'm going to ask you to rise and to raise your right hand so that I might administer the oath.

Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Dr. RICE. I do.

The CHAIRMAN. I thank you. Please proceed with your statement.

**OPENING STATEMENT OF DR. CONDOLEEZZA RICE, NOMINEE
TO BE SECRETARY OF STATE**

Dr. RICE. Thank you very much.

Thank you, Chairman Lugar, Senator Biden, and Members of the committee. I'd also like to thank Senator Dianne Feinstein, who, as a fellow Californian, I have admired as a leader on behalf of our state and our nation, and on whose wise counsel I have relied, and will continue to rely.

Mr. Chairman, Members of the committee, it is an honor to be nominated to lead the State Department at this critical time, a time of challenge and hope and opportunity for America.

September 11th, 2001, was a defining moment for our nation and for the world. Under the vision and leadership of President Bush, our nation has risen to meet the challenges of our time, fighting tyranny and terror, and securing the blessings of freedom and prosperity for a new generation. The work that America and our allies have undertaken, and the sacrifices we have made, have been difficult and necessary and right.

Now is the time to build on these achievements to make the world safer and to make the world more free. We must use American diplomacy to help create a balance of power in the world that favors freedom. The time for diplomacy is now.

I am humbled by President Bush's confidence in me to undertake the great work of leading American diplomacy at such a moment in history. If confirmed, I will work with the Members of this Congress, from both sides of the aisle, to build a strong bipartisan consensus behind American foreign policy. I will seek to strengthen our alliances, to support our friends, and to make the world safer and better. It is a time to reflect on this challenge, and I do so humbly.

I will enlist the great talents of the men and women of the State Department, the Foreign and Civil Services, and our Foreign Serv-

ice nationals. And if I am confirmed, I will be especially honored to succeed a man—a man that I so admire, my friend and my mentor, Colin Powell.

Four years ago, Secretary Powell addressed this committee for the same purpose that I do now. Then, as now, it was the same week that America celebrates the life and legacy of Dr. Martin Luther King. It is a time to reflect on the legacy of that great man, on the sacrifices he made, on the courage of the people he led, and on the progress our nation has made in the decades since. I, personally, am indebted to those who fought and sacrificed in the civil-rights movement so that I could be here today.

For me, this is a time to remember other heroes, as well. I grew up in Birmingham, Alabama—the old Birmingham, of “Bull” Connor and church bombings and voter intimidation, the Birmingham where Dr. King was thrown in jail for demonstrating without a permit. Yet there was another Birmingham, the city where my parents, John and Angelina Rice, and their friends built a thriving community in the midst of terrible segregation. It would have been so easy for them to give in to despair and to send that message of hopelessness to their children, but they refused to allow the limits and injustices of their time to limit our horizons. My friends and I were raised to believe that we could do or become anything, that the only limits to our aspirations came from within. We were taught not to listen to those who said, “No, you can’t.”

The story of Birmingham’s parents and teachers and children is a story of the triumph of universal values over adversity, and those values, a belief in democracy and liberty, and the dignity of every life and the rights of every individual, unite Americans of all backgrounds, all faiths, and all colors. They provide us a common cause and a rallying point in difficult times, and they are a source of hope to men and women across the globe who cherish freedom and work to advance freedom’s cause. And in these extraordinary times, it is the duty of all of us—legislators and diplomats and civil servants and citizens—to uphold and advance the values that are core to our identity and that have lifted millions around the world.

One of history’s clearest lessons is that America is safer, and the world more secure, whenever and wherever freedom prevails. It is neither an accident, nor a coincidence, that the greatest threats of the last century emerged from totalitarian movements. Fascism and communism differed in many ways, but they shared an implacable hatred of freedom, a fanatical assurance that their way was the only way, and a supreme confidence that history was on their side.

At certain moments, it seemed that history might have been on their side. During the first half of the 20th century, much of the democratic and economic progress of earlier decades looked to be swept away by the march of ruthless ideologies armed with terrible military and technological power. Even after the allied victory in World War II, many feared that Europe, and perhaps the world, would be forced to permanently endure half-enslaved and half-free.

The cause of freedom suffered a series of major setbacks—communism imposed in Eastern Europe, Soviet power dominant in East Germany, the coup in Czechoslovakia, the victory of Chinese communists, the Soviet nuclear test five years ahead of schedule,

to name just a few. In those early years, the prospect of a united democratic Germany and a democratic Japan seemed farfetched.

Yet America and our allies were blessed with visionary leaders who did not lose their way. They created the great NATO Alliance to contain, and eventually erode, Soviet power, they helped to establish the United Nations, and created an international legal framework for this and other institutions that have served the world well for more than 50 years. They provided billions in aid to rebuild Europe and much of Asia. They built on an international—they built an international economic system, based on free trade and free markets, to spread prosperity to every corner of the globe. And they confronted the ideology and propaganda of our enemies with a message of hope and with truth. And, in the end, though the end was long in coming, their vision prevailed.

The challenges we face today are no less daunting. America and the free world are, once again, engaged in a long-term struggle against an ideology of hatred and tyranny and terror and hopelessness, and we must confront these challenges with the same vision and the same courage and the same boldness that dominated our post-world-war period.

In these momentous times, America has great tasks, and American diplomacy has great tasks. First, we will unite the community of democracies in building an international system that is based on shared values and the rule of law. Second, we will strengthen the community of democracies to fight the threats to our common security, and alleviate the hopelessness that feeds terror. And, third, we will spread freedom and democracy throughout the globe. That is the mission that President Bush has set for America in the world, and it is the great mission of American diplomacy today.

Let me address each of these three tasks.

Every nation that benefits from living on the right side of freedom has an obligation to share freedom's blessings. Our first challenge is to inspire the American people, and the people of all free nations, to unite in common to commonly solve problems that confront us. NATO and the European Union and our democratic allies in East Asia and around the world will be our strongest partners in this vital work.

The United States will also continue to work to support and uphold the system of international rules and treaties that allow us to take advantage of our freedom, to build our economies, and to keep us safe and secure. We must remain united in insisting that Iran and North Korea abandon their nuclear-weapons ambitions and choose, instead, the path of peace. New forums that emerge from the broader Middle East and North Atlantic Initiative offer the ideal venues to encourage economic, social, and democratic reform in the world. Implementing the Doha development agenda and reducing trade barriers will create jobs and reduce poverty in dozens of nations. And by standing with the freed peoples of Iraq and Afghanistan, we will continue to bring hope to millions, and democracy to a part of the world where it is sorely lacking.

As President Bush said in our national security strategy, America is guided by the conviction that no nation can build a safer, better world alone. Alliances and multilateral institutions can multiply the strength of freedom-loving nations. If I am confirmed, that

core conviction will guide my actions. Yet when judging a course of action, I will never forget that the true measure of its worth is its effectiveness.

Our second great task is to strengthen the community of democracy so that all free nations are equal to the work before us. Free peoples everywhere are heartened by the success of democracy around the globe. Together, we must build on that success.

We face many challenges. In some parts of the world, an extremist view threaten the very existence of political liberty. Disease and poverty have the potential to destabilize whole nations and whole regions. Corruption can sap the foundations of democracy. And some elected leaders have taken illiberal steps that, if not corrected, could undermine hard-won progress for democracy.

We must do all that we can to ensure that nations which make the hard choices and do the hard work to join the free world deliver on the high hopes of those citizens for better lives. From the Philippines to Colombia to the nations of Africa, we are strengthening counterterrorism cooperation with nations that have a will to fight terror, but need help with the means. We're spending billions to fight AIDS and tuberculosis and malaria and other diseases, to alleviate suffering for millions, and help end public-health crises.

America has always been generous in helping countries recover from natural disasters, and today we are providing money and personnel to ease the suffering of the millions afflicted by the tsunami and to help rebuild those nations' infrastructure.

We are joining with developing nations to fight corruption, instill the rule of law, and create a culture of transparency. In much of Africa and Latin America, we face the twin challenges of helping to bolster democratic change while alleviating poverty and hopelessness. We will work with reformers in those regions who are committed to increasing opportunity for their peoples, and we will insist that leaders who are elected democratically have an obligation to govern democratically.

Our third great task is to spread democracy and freedom throughout the world. I spoke earlier of the grave setbacks to democracy in the first half of the 20th century. The second half of the century saw an advance of democracy that was far more dramatic. In the last quarter of that century, the number of democracies in the world tripled. And in the last six months of this new century alone, we have witnessed the peaceful democratic transfer of power in Malaysia, a majority Muslim nation, and Indonesia, the country with the world's largest Muslim population. We've seen men and women wait in line for hours to vote in Afghanistan's first-ever free and fair presidential election. We—and, I know, you, Mr. Chairman, and I want to thank you for your role in this—were heartened by the refusal of the people of Ukraine to accept a flawed election, and heartened by their insistence that their democratic demands would be met. We have watched as the people of the Palestinian territories turned out to vote in an orderly and free election. And soon the people of Iraq will exercise their right to choose their leaders and set the course of their nation.

No less than were the last decades of the 20th century, the first decades of this new century can be an era of liberty. And we, in America, must do everything we can to make it so.

To be sure, in our world there remain outposts of tyranny. And America stands with oppressed people on every continent—in Cuba and Burma and North Korea and Iran and Belarus and Zimbabwe. The world should really apply what Nathan Sharanski called the “town-square test.” If a person cannot walk into the middle of the town square and express his or her views without fear of arrest, imprisonment, and physical harm, then that person is living in a fear society. And we cannot rest until every person living in a fear society has finally won their freedom.

In the Middle East, President Bush has broken with six decades of excusing and accommodating the lack of freedom, in hoping to purchase stability at the price of liberty. The stakes could not be higher. As long as the broader Middle East remains a region of tyranny and despair and anger, it will produce extremists and movements that threaten the safety of America and our friends.

But there are hopeful signs that freedom is on the march. Afghanistan and Iraq are struggling to put dark and terrible pasts behind them, and to choose a path of progress. Afghanistan held a free and fair election, and chose a president who is committed to the success of democracy and the fight against terror. In Iraq, the people will soon take the next step in their journey toward full, genuine democracy. All Iraqis, whatever their faith or ethnicity, from Shias to Sunnis to Kurds to others, must build a common future together. The election later this month will be an important first step as the people of Iraq prepare to draft a constitution and hold the next round of elections, elections that will then create a permanent government.

The success of freedom in Afghanistan and Iraq will give strength and hope to reformists throughout the region, and accelerate the reforms already underway. From Morocco to Jordan to Bahrain, we are seeing elections and new protections for women and minorities, and the beginnings of political pluralism. Political, civil, and business leaders have—during calls for political, economic, and social change. Increasingly, the people are speaking, and their message is clear: the future of this region is to live in liberty.

And the establishment of a Palestinian democracy will help to bring an end to the conflict in the Holy Land.

Much has changed since June 24th, 2002, when President Bush outlined a new approach for America in the quest for peace in the Middle East and spoke the truth about what would be required to end this conflict. Now we have reached a moment of opportunity, and we must seize it. We take great encouragement from the elections just held in the Palestinian territories. And, Senators Biden and Sununu, I want to thank you for representing the United States at those historic elections. America seeks justice and dignity and a viable, independent, and democratic state for the Palestinian people. We seek security and peace for the state of Israel. Israel must do its part to improve the conditions under which Palestinians live, and to build a better future. Arab states must join to help, and deny any help or solace to those who take the path of violence.

I look forward to personally working with Palestinian and Israeli leaders and bringing American diplomacy to bear on this difficult,

but crucial, issue. Peace can only come if all parties choose to do the difficult work. And the time to choose peace is now. But there can be no permanent peace without an end to terror. Building a world of hope and prosperity and peace is difficult. As we move forward, America's relations with world global powers will be critical.

In Russia, we see that the path to democracy is uneven and that it's success is not yet assured, yet recent history shows that we can work closely with Russia on common problems. And, as we do so, you can be assured that we will continue to press the case for democracy, and we will continue to make clear that protection of democracy in Russia is vital to the future of U.S./Russian relations.

In Asia, we have moved beyond the false assumption that it is impossible to have good relations with all of Asia's powers. Our Asian alliances have never been stronger, and we will use that strength to help secure peace and prosperity.

Japan, South Korea, and Australia are key partners in our efforts to deter common threats and spur economic growth. We are building a candid, cooperative, and constructive relationship with China that embraces our common interests, but recognizes our considerable differences about values.

The United States is cooperating with India, the world's largest democracy, across a range of economic and security issues. This, even as we embrace Pakistan as a vital war on—vital ally in the war on terror and a state in transition toward a more moderate future.

In our own neighborhood, we are cooperating closely with Canada and Mexico and with our close neighbors in Latin America. We are working to realize the vision of a fully democratic hemisphere bound by common values and free trade.

But, perhaps most importantly, we must realize that America and all free nations are facing a generational struggle against a new and deadly ideology of hatred that we cannot ignore. We need to do much more to confront hateful propaganda, dispel dangerous myths, and get out the truth. We will increase our exchanges with the rest of the world. America should make a serious effort to understand other cultures and learn foreign languages. Our interaction with the rest of the world must be a conversation, not a monologue. And America must remain open to visitors and workers and students from around the world. We do not, and will not, compromise our security standards; yet if our public-diplomacy efforts are to succeed, we cannot close ourselves off from the rest of the world.

If I am confirmed, public diplomacy will be a top priority for me and for the professionals I lead. In all that lies ahead, the primary instrument of American diplomacy will be the Department of State and the men and women of its Foreign and Civil Services and Foreign Service Nationals. The time for diplomacy is now, and the President and I will expect great things from America's diplomatic corps. We know from experience how hard they work, the risks that they and their families take, the hardships they endure. We will be asking even more of them in their service of the country and of a great cause. They will need to develop new skills and rise to new challenges. This is a time that calls for transformational diplomacy.

More than ever, America's diplomats will need to be active in spreading democracy and fighting terror and reducing poverty and doing our part to protect America's homeland. I will personally work to ensure that America's diplomats have all the tools they need to do their jobs, from training to budgets to mentoring to embassy security. I also intend to strengthen the recruitment of new personnel, because American diplomacy needs to constantly hire and develop top talent. And I will seek to further diversify the State Department's work force. This is not just a good cause, it's a necessity. A great strength of our country is its diversity, and the signal sent to the rest of the world when America is represented abroad by people of all cultures and races and religions is an unsurpassed statement about who we are and what our values mean in practice.

Let me close with a personal reflection. I was in government in Washington from 1989 to 1991. I was lucky enough to be the Soviet specialist in the White House at the end of the Cold War. I got to participate in the liberation of Eastern Europe and the unification of Germany, the beginnings of the peaceful collapse of the Soviet Union. It was a heady time for all of us. But when I look back, I know that we were just merely harvesting the good decisions that had been made in 1947 and 1948 and in 1949, when Truman and Acheson and Vandenberg and Kennan and so many wise and far-sighted statesmen in the executive and legislative branches recognized that we were not in a limited engagement with communism, we were in the defining struggle of our time. Democrats and Republicans united around a vision and policies that won the Cold War. The road was not always smooth, but the basic unity of purpose and values was there. And that unity was essential to our eventual success.

No President and no Secretary of State could have effectively protected American interests in such momentous times without the strong support of the Congress and from this committee. And the same is true today. Our task and our duty is to unite around a vision and policies that will spread freedom and prosperity around the globe.

I have worked directly with many of you. And in this time of great challenge and opportunity, America's coequal branches of government must work together to advance freedom and prosperity.

In the preface to his memoirs published in 1969, Dean Acheson wrote of the postwar period that, "Those who had acted in this drama did not know, nor do any of us yet know, the end," close quote.

Senators, now we know. And many of us here were witness to that end. The end was a victory for freedom, the liberation of half a continent, the passing of a despotic empire, and vindication for the wise and brave decisions made at the creation.

It is my greatest hope and my deepest conviction that the struggle we face today will someday end in a similar triumph of the human spirit. Working together, we can make it so.

Thank you very much.

[Dr. Rice's prepared statement follows:]

PREPARED STATEMENT OF DR. CONDOLEEZZA RICE

Thank you Chairman Lugar, Senator Biden, and Members of the Committee. And let me also thank Senator Dianne Feinstein who, as a fellow Californian, I have long admired as a leader on behalf of our state and our nation.

Mr. Chairman, members of the Committee, it is an honor to be nominated to lead the State Department at this critical time—a time of challenge and hope and opportunity for America, and for the entire world.

September 11th, 2001 was a defining moment for our nation and the world. Under the vision and leadership of President Bush, our nation has risen to meet the challenges of our time: fighting tyranny and terror, and securing the blessings of freedom and prosperity for a new generation. The work that America and our allies have undertaken, and the sacrifices we have made, have been difficult—and necessary—and right. Now is the time to build on these achievements—to make the world safer, and to make the world more free. We must use American diplomacy to help create a balance of power in the world that favors freedom. And the time for diplomacy is now.

I am humbled by President Bush's confidence in me to undertake the great work of leading American diplomacy at such a moment in history. If confirmed, I will work with members of Congress, from both sides of the aisle, to build a strong bipartisan consensus behind America's foreign policy. I will seek to strengthen our alliances, to support our friends, and to make the world safer, and better. I will enlist the great talents of the men and women of the State Department, the Foreign and Civil Services and our Foreign Service Nationals. And if I am confirmed, I will be especially honored to succeed a man I so admire—my friend and mentor, Cohn Powell.

Four years ago, Secretary Powell addressed this committee for the same purpose I do now. Then as now, it was the same week that America celebrates the life and legacy of Doctor Martin Luther King, Jr. It is a time to reflect on the legacy of that great man, on the sacrifices he made, on the courage of the people he led, and on the progress our nation has made in the decades since. I am especially indebted to those who fought and sacrificed in the Civil Rights movement so that I could be here today.

For me, this is a time to remember other heroes as well. I grew up in Birmingham, Alabama—the old Birmingham of Bull Connor, church bombings, and voter intimidation—the Birmingham where Dr. King was thrown in jail for demonstrating without a permit. Yet there was another Birmingham, the city where my parents—John and Angelena Rice—and their friends built a thriving community in the midst of the most terrible segregation in the country. It would have been so easy for them to give in to despair, and to send that message of hopelessness to their children. But they refused to allow the limits and injustices of their time to limit our horizons. My friends and I were raised to believe that we could do or become anything—that the only limits to our aspirations came from within. We were taught not to listen to those who said to us, “No, you can't.”

The story of Birmingham's parents and teachers and children is a story of the triumph of universal values over adversity. And those values—a belief in democracy, and liberty, and the dignity of every life, and the rights of every individual—unite Americans of all backgrounds, all faiths, and all colors. They provide us a common cause in all times, a rallying point in difficult times, and a source of hope to men and women across the globe who cherish freedom and work to advance freedom's cause. And in these extraordinary times, it is the duty of all of us—legislators, diplomats, civil servants, and citizens—to uphold and advance the values that are the core of the American identity, and that have lifted the lives of millions around the world.

One of history's clearest lessons is that America is safer, and the world is more secure, whenever and wherever freedom prevails. It is neither an accident nor a coincidence that the greatest threats of the last century emerged from totalitarian movements. Fascism and Communism differed in many ways, but they shared an implacable hatred of freedom, a fanatical assurance that their way was the only way, and a supreme confidence that history was on their side.

At certain moments, it almost seemed to be so. During the first half of the 20th century much of the democratic and economic progress of earlier decades hooked to be swept away by the march of ruthless ideologies armed with terrible military and technological power. Even after the allied victory in World War Two, many feared that Europe, and perhaps the world, would be forced to permanently endure half enslaved and half free. The cause of freedom suffered a series of major strategic setbacks: Communism imposed in Eastern Europe—Soviet power dominant in East Germany—the coup in Czechoslovakia—the victory of the Chinese Communists—the

Soviet nuclear test five years before we predicted—to name just a few. In those early years, the prospect of a united democratic Germany and a democratic Japan seemed far-fetched.

Yet America and our allies were blessed with visionary leaders who did not lose their way. They created the great NATO alliance to contain and eventually erode Soviet power. They helped to establish the United Nations and created the international legal framework for this and other institutions that have served the world well for more than 50 years. They provided billions in aid to rebuild Europe and much of Asia. They built an international economic system based on free trade and free markets to spread prosperity to every corner of the globe. And they confronted the ideology and propaganda of our enemies with a message of hope, and with the truth. And in the end—though the end was long in coming—their vision prevailed.

The challenges we face today are no less daunting. America and the free world are once again engaged in a long-term struggle against an ideology of tyranny and terror, and against hatred and hopelessness. And we must confront these challenges with the same vision, courage and boldness of thought demonstrated by our post-World War Two leaders.

In these momentous times, American diplomacy has three great tasks. First, we will unite the community of democracies in building an international system that is based on our shared values and the rule of law. Second, we will strengthen the community of democracies to fight the threats to our common security and alleviate the hopelessness that feeds terror. And third, we will spread freedom and democracy throughout the globe. That is the mission that President Bush has set for America in the world—and the great mission of American diplomacy today.

Let me address each of the three tasks I just mentioned. Every nation that benefits from living on the right side of the freedom divide has an obligation to share freedom's blessings. Our first challenge, then, is to inspire the American people, and the people of all free nations, to unite in common cause to solve common problems. NATO—and the European Union—and our democratic allies in East Asia and around the world will be our strongest partners in this vital work. The United States will also continue to work to support and uphold the system of international rules and treaties that allow us to take advantage of our freedom, to build our economies, and to keep us safe and secure.

We must remain united in insisting that Iran and North Korea abandon their nuclear weapons ambitions, and choose instead the path of peace. New forums that emerge from the Broader Middle East and North Africa Initiative offer the ideal venues to encourage economic, social and democratic reform in the Islamic world. Implementing the Doha Development Agenda and reducing trade barriers will create jobs and reduce poverty in dozens of nations. And by standing with the free peoples of Iraq and Afghanistan, we will continue to bring hope to millions, and democracy to a part of the world where it is sorely lacking.

As President Bush said in our National Security Strategy, America “is guided by the conviction that no nation can build a safer, better world alone. Alliances and multilateral institutions can multiply the strength of freedom-loving nations.” If I am confirmed, that core conviction will guide my actions. Yet when judging a course of action, I will never forget that the true measure of its worth is whether it is effective.

Our second great task is to strengthen the community of democracies, so that all free nations are equal to the work before us. Free peoples everywhere are heartened by the success of democracy around the globe. Together, we must build on that success.

We face many challenges. In some parts of the world, an extremist few threaten the very existence of political liberty. Disease and poverty have the potential to destabilize whole nations and regions. Corruption can sap the foundations of democracy. And some elected leaders have taken illiberal steps that, if not corrected, could undermine hard-won democratic progress.

We must do all we can to ensure that nations which make the hard choices and do the hard work to join the free world deliver on the high hopes of their citizens for a better life. From the Philippines to Colombia to the nations of Africa, we are strengthening counterterrorism cooperation with nations that have the will to fight terror, but need help with the means. We are spending billions to fight AIDS, tuberculosis, malaria and other diseases, to alleviate suffering for millions and help end public health crises. America has always been generous in helping countries recover from natural disasters—and today we are providing money and personnel to ease the suffering of millions afflicted by the tsunami, and to help nations rebuild their infrastructure. We are joining with developing nations to fight corruption, instill the rule of law, and create a culture of transparency. In much of Africa and Latin America, we face the twin challenges of helping to bolster democratic ideals and institu-

tions, and alleviating poverty. We will work with reformers in those regions who are committed to increasing opportunity for their peoples. And we will insist that leaders who are elected democratically have an obligation to govern democratically.

Our third great task is to spread democracy and freedom throughout the world. I spoke earlier of the grave setbacks to democracy in the first half of the 20th century. The second half of the century saw an advance of democracy that was far more dramatic. In the last quarter of that century, the number of democracies in the world tripled. And in the last six months of this new century alone, we have witnessed the peaceful, democratic transfer of power in Malaysia—a majority Muslim nation—and in Indonesia—the country with the world’s largest Muslim population. We have seen men and women wait in line for hours to vote in Afghanistan’s first ever free and fair presidential election. We—and I know you Mr. Chairman—were heartened by the refusal of the people of Ukraine to accept a flawed election, and their insistence that their democratic will be honored. We have watched as the people of the Palestinian Territories turned out to vote in an orderly and fair election. And soon the people of Iraq will exercise their right to choose their leaders, and set the course of their nation’s future. No less than were the last decades of the 20th century, the first decades of this new century can be an era of liberty. And we in America must do everything we can to make it so.

To be sure, in our world there remain outposts of tyranny—and America stands with oppressed people on every continent—in Cuba, and Burma, and North Korea, and Iran, and Belarus, and Zimbabwe. The world should apply what Natan Sharansky calls the “town square test”: if a person cannot walk into the middle of the town square and express his or her views without fear of arrest, imprisonment, or physical harm, then that person is living in a fear society, not a free society. We cannot rest until every person living in a “fear society” has finally won their freedom.

In the Middle East, President Bush has broken with six decades of excusing and accommodating the lack of freedom in the hope of purchasing stability at the price of liberty. The stakes could not be higher. As long as the broader Middle East remains a region of tyranny and despair and anger, it will produce extremists and movements that threaten the safety of Americans and our friends.

But there are hopeful signs that freedom is on the march. Afghanistan and Iraq are struggling to put dark and terrible pasts behind them and are choosing the path of progress. Just months ago, Afghanistan held a free and fair election, and chose a president who is committed to the success of democracy and to the fight against terror. In Iraq, the people will soon take the next step in their journey toward full, genuine democracy. All Iraqis, whatever their faith or ethnicity—from Shias to Sunnis to Kurds—must build a common future together. The election later this month will be an important first step as the people of Iraq prepare to draft a constitution and hold the next round of elections—elections that will create a permanent government.

The success of freedom in Afghanistan and Iraq will give strength and hope to reformers throughout the region, and accelerate the pace of reforms already underway. From Morocco to Jordan to Bahrain, we are seeing elections and new protections for women and minorities, and the beginnings of political pluralism. Political, civil, and business leaders have issued stirring calls for political, economic and social change: Increasingly, the people are speaking, and their message is clear: the future of the region is to live in liberty.

And the establishment of a Palestinian democracy will help to bring an end to the conflict in the Holy Land. Much has changed since June 24th, 2002, when President Bush outlined a new approach for America in the quest for peace in the Middle East, and spoke the truth about what will be required to end this conflict. Now we have reached a moment of opportunity—and we must seize it. We take great encouragement from the elections just held for a new Palestinian leader. And Senators Biden and Sununu, I want to thank you for representing the United States at these historic elections. America seeks justice and dignity and a viable, independent, and democratic state for the Palestinian people. We seek security and peace for the State of Israel. Israel must do its part to improve the conditions under which Palestinians live and seek to build a better future. Arab states must join to help—and deny any help or solace to those who take the path of violence. I look forward to personally working with the Palestinian and Israeli leaders, and bringing American diplomacy to bear on this difficult but crucial issue. Peace can only come if all parties choose to do the difficult work, and choose to meet their responsibilities. And the time to choose peace is now.

Building a world of hope, prosperity and peace is difficult. As we move forward, America’s relations with the world’s global powers will be critical. In Russia, we see that the path to democracy is uneven and that its success is not yet assured. Yet

recent history shows that we can work closely with Russia on common problems. And as we do so, we will continue to press the case for democracy, and we will continue to make clear that the protection of democracy in Russia is vital to the future of US-Russia relations. In Asia, we have moved beyond the false assumption that it is impossible to have good relations with all of Asia's powers. Our Asian alliances have never been stronger—and we will use that strength to help secure the peace and prosperity of the region. Japan, South Korea, and Australia are key partners in our efforts to deter common threats and spur economic growth. We are building a candid, cooperative and constructive relationship with China that embraces our common interests but still recognizes our considerable differences about values. The United States is cooperating with India, the world's largest democracy, across a range of economic and security issues. This, even as we embrace Pakistan as a vital ally in the war on terror, and a state in transition towards a more moderate and democratic future. In our own neighborhood, we are cooperating closely with Canada and Mexico, and working to realize the vision of a fully democratic hemisphere, bound by common values and free trade.

We also must realize that America and all free nations are facing a generational struggle against a new and deadly ideology of hatred that we cannot ignore. We need to do much more to confront hateful propaganda, dispel dangerous myths, and get out the truth. We will increase our exchanges with the rest of the world. And Americans should make a serious effort to understand other cultures and learn foreign languages. Our interaction with the rest of the world must be a conversation, not a monologue. And America must remain open to visitors and workers and students from around the world, without compromising our security standards. If our public diplomacy efforts are to succeed, we cannot close ourselves off from the world. And if I am confirmed, public diplomacy will be a top priority for me and for the professionals I lead.

In all that lies ahead, the primary instrument of American diplomacy will be the Department of State, and the men and women of its Foreign and Civil Services and Foreign Service Nationals. The time for diplomacy is now—and the President and I will expect great things from America's diplomatic corps. We know from experience how hard they work, the risks they and their families take, and the hardships they endure. We will be asking even more of them, in the service of their country, and of a great cause. They will need to develop new skills, and rise to new challenges. This time of global transformation calls for transformational diplomacy. More than ever, America's diplomats will need to be active in spreading democracy, fighting terror, reducing poverty, and doing our part to protect the American homeland. I will personally work to ensure that America's diplomats have all the tools they need to do their jobs—from training to budgets to mentoring to embassy security. I also intend to strengthen the recruitment of new personnel, because American diplomacy needs to constantly hire and develop top talent. And I will seek to further diversify the State Department's workforce. This is not just a good cause; it is a necessity. A great strength of our country is our diversity. And the signal sent to the rest of the world when America is represented abroad by people of all cultures, races, and religions is an unsurpassed statement about who we are and what our values mean in practice.

Let me close with a personal recollection. I was in government in Washington in 1989 to 1991. I was the Soviet specialist in the White House at the end of the Cold War. I was lucky to be there, and I knew it. I got to participate in the liberation of Eastern Europe. I got to participate in the unification of Germany and to see the Soviet Union collapse. It was a heady time for us all. But, when I look back, I know that we were merely harvesting the good decisions that had been made in 1947, in 1948, and in 1949, when Truman and Acheson and Vandenberg and Kennan and so many wise and farsighted statesmen—in the Executive and Legislative branches—recognized that we were not in a limited engagement with communism, we were in the defining struggle of our times.

Democrats and Republicans united around a vision and policies that won the Cold War. The road was not always smooth, but the basic unity of purpose and values was there—and that unity was essential to our eventual success. No President, and no Secretary of State, could have effectively protected American interests in such momentous times without strong support from the Congress, and from this Committee. And the same is true today. Our task, and our duty is to unite around a vision and policies that will spread freedom and prosperity around the globe. I have worked directly with many of you. And in this time of great challenge and opportunity, America's co-equal branches of government must work together to advance freedom and prosperity.

In the preface to his memoirs, published in 1969, Dean Acheson wrote of the post-war period that “those who acted in this drama did not know, nor do any of us yet

know, the end." Senators, now we know—and many of us here bore witness to that end. The end was a victory for freedom, the liberation of half a continent, the passing of a despotic empire—and vindication for the wise and brave decisions made at the beginning. It is my greatest hope—and my deepest conviction—that the struggle we face today will some day end in a similar triumph of the human spirit. And working together, we can make it so.

Thank you.

The CHAIRMAN. Dr. Rice, thank you. The committee asked you to make a comprehensive and thoughtful statement, and you certainly have fulfilled our request. We appreciate the time and effort that you have given to that statement, and, likewise, to the responses that you've given to all of our questions. Just for the benefit of Senators and those following the hearing, I would add that during the past few weeks, Senators have submitted to Dr. Rice folios of questions. The questions have been answered, and they will all be made a part of the record. For the record, some Senators may wish to reiterate some of those questions today, but we know you will be well prepared, because you have already written some remarkable answers that give us a great deal of assurance.

I've consulted with the distinguished Ranking Member, Senator Biden, about the format, and we will now have a round of questions. Each Member will have ten minutes, and I'll ask Members to be respectful of that time so that they will not infringe upon the opportunities of others. And then, following that, if Members wish to ask additional questions, we will have a second round of ten minutes per Member; and, if required, a third and even a fourth round. I have consulted with Dr. Rice. She is prepared for a number of hours of questions, and I appreciate that.

We'll proceed at least until noon, and maybe a little beyond that, commence again at 2:00 o'clock in the afternoon. If it appears that the hearing might be concluded at some time in the early evening, it would be my privilege to continue on and to preside and to be with any Member who wishes to keep asking questions throughout that period of time.

My hope is that Members on both sides of the aisle will be prepared, at the conclusion of all of the questioning, whether it should occur today or tomorrow, to have a business meeting of the committee so that we might take a vote upon this nomination, and that it might be available, therefore, for action on the floor of the Senate on Thursday, January the 20th. Dr. Frist has indicated that, after 3:00 o'clock, roll-call votes will be in order. My prayer is that one of the roll-call votes will be on this nomination.

This is a potential roadmap for us to proceed through the hearing in an orderly way that is fair to all Members, and I want to make that point clear. We have offered two full days so that, in the event Members have a lot of questions, they will have an opportunity to raise them for a complete record of the hearing.

Now, Dr. Rice, I'll begin, and I'll ask the timekeeper to be as rigorous on my questions as on anyone else's for the next ten minutes.

Let me say that, last year, I introduced legislation intended to relieve the burdens placed on the Nunn-Lugar program by the Congress in the form of conditions, certifications, reporting requirements. These have occurred over many years, and many were points well taken at the time, as there was gross distrust of the Russians, and, likewise, a hope for progress through these restric-

tions. Nevertheless, they have inhibited, substantially in some years, the amount of work that could be done to actually work with the Russians in cooperative threat reductions, to take warheads off of missiles, to destroy the missiles, to destroy the aircraft that might fly over our country, and even in the Shchuch'ye Project, to move toward a neutralization of the chemical weapons.

The goal of my legislation is to provide President Bush with more flexibility in the utilization of this program in achieving non-proliferation and dismantlement goals. Does the administration support this legislation?

Dr. RICE. Thank you, Senator Lugar.

Yes, we do. And I want to start by saying thank you very much for the tremendous leadership that you have given and that, earlier, Senator Sam Nunn gave to this. And I know that a number of Senators on this committee and on other committees have been stalwarts in this extremely important initiative. I'm an old student of the Soviet Union and of the Soviet military, and I really can think of nothing more important than being able to proceed with the dismantlement, the safe dismantlement, of the Soviet arsenal, with nuclear safeguards to make certain that nuclear weapons facilities and the like are well secured, and then the blending down, as we are doing, of the number of hazardous, potentially lethal materials that could be used to make nuclear weapons, as well as, of course, you mentioned, Shchuch'ye and the chemical weapons.

So this is an extremely important program. I want to be clear that we do pay attention, in our relationship, to the progress, or lack thereof, of democracy. We pay attention and push the Russians on questions of accounting fully for their chemical-weapons stockpiles, for permitting an understanding of their biological-weapons programs. But flexibility in being able to administer the program would be most welcome, and it is just an extremely important program that—I think you know—that we continue to push.

The CHAIRMAN. I appreciate that statement very much. We will be working with you and the Department. Likewise, we will continue our efforts with the Department of Defense and DTRA and the Cooperative Threat Reduction Group, which has been so helpful.

Now, the future of U.S./Russian cooperation on nonproliferation and the dismantlement of weapons of mass destruction is contingent also upon the continuation of the Nunn-Lugar Umbrella Agreement that undergirds all of our efforts in this area. To date, the Kremlin has not submitted the agreement reached in 1999 to the Duma for approval. What are your views on the prospects of the United States and Russia reaching agreement on such things as liability, tax-free status, and the other issues that are covered by the umbrella agreement?

Dr. RICE. Senator Lugar, the President has raised with President Putin the issue of ratification in the Duma of the CTR over—umbrella over a number—on a number of occasions, including, most recently, when they were at Sea Island. I'm sure that he will raise it when he sees President Putin in the next several weeks. And we are, ourselves, reviewing what we may want to do about the liability procedures here. It is extremely important that this work go for-

ward. And to the degree that there are bureaucratic logjams that need to be broken, we've simply got to break them.

The other possibility, which is that you leave materials unsecured and you don't take as full initiative as you can under these very important programs, is simply not acceptable. And so, we are working to see how we can move this forward with the Russians.

We had discussions, just recently, with the Russian Defense Minister, when he was here, about moving forward, so you can be assured that we're looking to break whatever bureaucratic logjams have emerged over this period of time.

The CHAIRMAN. I appreciate that response, and I'm hopeful that you will work with the President so that that will be on the agenda of his meeting with President Putin. Clearly, President Putin is cognizant of all of these programs, but bureaucracy in Russia sometimes moves slowly—

Dr. RICE. Right.

The CHAIRMAN [continuing]. —as it does in our country. To the extent that we can expedite this, that would be helpful. As the President pointed out, weapons of mass destruction or materials of mass destruction, improperly secured, are the basis for many of the terrorist threats, whether it be al Qaeda or the Russians' fear of the Chechnyans, or whoever. The materials are there to be picked up and to be utilized without research and difficulty. These are critical items, and I know that you agree.

Let me also mention that the G8 meeting, the so-called "10 plus 10 over 10" program, attempted to enlist our allies in matching the effort, of about a billion dollars a year, that we are putting into these programs—Defense, State, and Energy Departments. It's been difficult for them to do that, because they do not have satisfactory umbrella agreements, in most cases, either.

So, while the President is visiting with President Putin bilaterally, perhaps he could also mention our seven allies within the G8 that we urgently need to enlist in this type of work.

Dr. RICE. I agree completely, Senator. In fact, the President has talked to President Putin about the difficulties that others are having extending money.

I think one of the really great breakthroughs was when we came up with this global partnership initiative, because it permitted us to multiply the resources that the United States was putting in by resources from Japan and Italy and Great Britain and other places. And it's important that those resources get spent.

This is one part, an extremely important part, of a broad nuclear nonproliferation initiative agenda that we are pursuing to—with our allies—to try and deal with this very nettlesome, difficult problem.

The CHAIRMAN. And, of course, also, as the President visits with the German leadership, and perhaps the French leadership and what have you, they are parties to this and are—

Dr. RICE. They are.

The CHAIRMAN [continuing]. —hopefully, eager to be a part of it.

Dr. RICE. In fact, I think that the nonproliferation story is a quite remarkable story of cooperation among the major allies. We have outstanding cooperation with France and Germany and our

other allies. We have been working, for instance, in something called the Proliferation Security Initiative, which 60 countries are now party to—and a number of others have expressed interest—to try to interdict with—consistent with international law—to try and interdict suspicious shipments. This has given us new means of intelligence cooperation, law-enforcement cooperation, naval cooperation. And it—these are very important.

We work best when we're putting the alliance to use and to work—

The CHAIRMAN. Yes.

Dr. RICE [continuing]. —on difficult problems together.

The CHAIRMAN. And this is a great way to do so. I would add an agreement that's also important, the AMEC agreement. We have enlisted the support of Norway and friends who want to work in that area, particularly on the submarine issues and the pollution of nuclear material that may have been dumped, or could be dumped, without activity on our part.

Let me turn to another issue. In your answers to questions for the record—and I cite that, because I've asked this question for the record and you have responded—I particularly appreciated your response on the Law of the Sea Convention. You urged the committee to favorably report it out, and you said that you will work with the Senate leadership to bring the convention and implementing agreement to the floor for a vote during the 109th Congress. You also said the following, "Joining the convention will advance the interests of the United States military. The United States, as the country with the largest coastline and the largest exclusive economic zone, will gain economic and resource benefits from the convention. The convention will not inhibit the United States, nor its partners, from successfully pursuing the Proliferation Security Initiative. And the United Nations has no decision-making role under the convention in regulating uses of the oceans by any state party to the convention." That language clears up an issue sometimes raised by opponents to the convention. And, finally, you said, "The convention does not provide for, or authorize, taxation of individuals or corporations."

I cannot think of a stronger administration statement in support of the Law of the Sea Convention. Should I assume that the President would like to see this convention passed as soon as possible?

Dr. RICE. Would certainly like to see it passed as soon as possible. And, Senator, I think—you know the history of this better than I, as well as Senators like Senator Warner and others, who worked very hard to make sure that some of the early concerns about the convention were addressed and that the convention, as it now stands, serves our national security interest, serves our economic interest, and we very much want to see it go into force.

The CHAIRMAN. I thank you for that response.

In your responses to questions for the record, you embraced the Department's role as the lead on an interagency team working for a more coordinated approach to stabilization and reconstruction efforts, a role that I've been pushing, as have Senator Biden and many others on our committee, as a new core mission for the Department of State. Your support for the Department's Office of Reconstruction and Stabilization in the Department will be crucial as

it seeks the personnel, resources, and budget to succeed. Can you outline your own vision for the Department of State in this area? And how would you integrate USAID with this effort?

Dr. RICE. We have learned a lot of lessons over the last several years, and one of them, I think, is that we need to be better able to marry civilian expertise in reconstruction and stabilization with whatever we need to do militarily to stabilize the situation. These post-conflict situations require a wide range of skills and talents that we've had to assemble, in a rather ad-hoc fashion, from within the United States Government when we faced Afghanistan or faced Iraq. And, frankly, we will face these again. We face it in Liberia, we face it in Sudan—we will face it in Sudan if those situations can be stabilized. And so, we have been—and I've been—very heartened by the work that has been done on this new Office of— for Reconstruction and Stabilization. I know, Senator, that you and your staff have had a lot of conversations, first with people who were on my staff in the NSC who were interested in this. And now that the office has been created in the State Department, I've had briefings on what Carlos Pasqual and his people are already doing. We are going to try to make sure that they have the resources for this first-phase effort that they are in.

I think we need to look at what further functions and what further requirements there are for this especially important task. But the State Department does need to lead this effort. There is great enthusiasm in the State Department for being able to do this, as I've talked to people in briefings and the like. And so, the office will not only have my support, but I'm counting on it to be able to help us make better efforts as we face these stabilization problems around the world.

The CHAIRMAN. Great. And we will count upon you for leadership of our legislative efforts. We will work together on this.

Dr. RICE. Thank you.

The CHAIRMAN. Senator Biden?

Senator BIDEN. Thank you very much.

Dr. Rice, you're, I'm told, a great football fan. I notice, when I go in your office, you are. I'm not going to ask you this under oath, but are you aware of who the national champions that won double-A football were last year?

Dr. RICE. Did they come from Delaware, sir?

Senator BIDEN. Yes, they did.

Dr. RICE. Yes, sir.

Senator BIDEN. University of Delaware. Thank you very much. I knew you'd know that. I knew you'd know that.

Dr. RICE. Right.

Senator BIDEN. Very important point.

Dr. Rice, I'd like to talk to you about Iraq, if I may start there. You quote eloquently, and you write eloquently, in your opening statement, "But when I look back, I know that we were merely harvesting the good decisions that had been made in '47, '48, and '49, when Truman, Acheson, and Vandenberg and Kennan, and so many other wise and foresighted statesmen in the executive and legislative branch, recognized that we are not in a limited engagement with communism, we are in the defining struggle of our times."

Based on our discussions over the years, I think we agree that the defining struggle of our times right now is this struggle between freedom and radical Islamic fundamentalism. That's not the only problem in the world, but it's the one that, I think, takes a long time. And Truman and Acheson and others came up with—and leveled with the American people about how long and hard and expensive it was going to be—the Truman Doctrine, the establishment of NATO, the Bretton Woods agreement, the Marshall Plan, well over 300,000 troops in Europe. We still have a considerable number of troops in Europe. And we flat-out told the American people. And yet I'm a little concerned that the American people don't have a clear sense of what is expected of them in this defining struggle that we always talk about. And the focus right now is primarily in Iraq. And we have an exit strategy, which I happen to agree with. The ultimate exit strategy is a stable, secure Iraqi government brought about as a consequence of a series of elections, this one just being the first of a series, and providing Iraq the capacity to maintain order and peace, not only in the streets, but along their borders.

And, toward that end, we had significant discussions in this committee prior to going in, and a number of experts, from RAND to others, indicated that we were going to need somewhere in the order of 5,000 European paramilitary police troops, in addition to the military. I think the number was 5,600. And my first question is, Did your outfit write a report suggesting how many military forces your team thought would be needed in Iraq?

Dr. RICE. No, Senator, we did not write a report of that kind. We, obviously, were aware of all the literature out there about how one stabilizes, and we looked at that literature, we considered it. But as a part of a team that is the National Security Council, and that is where the President's primary national security advisors sit, I sat through briefing after briefing that assessed the plan for both the war and for the immediate postwar period and, as a part of that plan, the troop levels that were recommended by General Franks and by his commanders. The President had good military advice from General Franks, good military advice from Chairman Myers, who represents, of course, not just himself, but the corporate body of the Joint Chiefs of Staff. And they were very clear that they believed that the plan that they were going to execute, including phase four—that is, the stabilization phase—was adequately resourced, in terms of troop strength.

Senator BIDEN. In retrospect, do you think it was adequately resourced? What do you think now? Everybody gets a chance to determine whether or not what they signed on to or thought, recommended by professionals, was workable or not. Do you think it was adequate, now, looking back?

Dr. RICE. Senator Biden, I would not presume to try to give the President military advice, but I do believe that he got good military advice, and I do believe that the plan and the forces that we went in with were appropriate to the task. We did meet with some unforeseen circumstances; most importantly, as we swept through the country really rather rapidly, this—the core of this insurgency—that is, the Ba'athists and many of Saddam's loyal forces melted into the population. They didn't stand and fight. When they re-

emerged, they reemerged as an insurgency, I think, that, frankly, cannot be dealt with by military power alone, and certainly not by overwhelming military power, but must now be dealt with through the political mobilization of the Iraqi people, which is why these elections are so important, through economic reconstruction—and I would be the first to say that we want very much to accelerate that reconstruction—and then, most importantly—

Senator BIDEN. So bottom line—

Dr. RICE [continuing]. —through the Iraqi forces.

Senator BIDEN [continuing]. —getting the chance to look back, you think there were an adequate number of forces—beginning, middle, and now. You wouldn't, if you got to go back, change the force structure.

Dr. RICE. I don't think I would, Senator.

Senator BIDEN. Okay. You're aware that Mr. Bremer suggests that we needed more force—he is the former, as we all know, ambassador who was in charge up until we handed over sovereignty. And I've made three trips since 2003, and every trip I make I meet with the flag officers, and they're all telling me they need more force, and they needed more force. The reason I asked the question is not to assess blame, because who the heck knows—as I said to Bremer—and I think the three of us were together the first time—I said, “Mr. Ambassador”—in the first meeting after Saddam was dethroned and we were in Baghdad—I said, “If the Lord Almighty came down and sat on this table and gave you the right answer to 60 percent of all the difficult questions you'll have to answer, you still only have an even chance of succeeding. No one's ever done what we're trying to do.” And I supported the effort. But it concerns me that, in retrospect, you still think the force structure was appropriate.

Which leads me to this issue of one element of our exit strategy, and that is the training of Iraqi security forces. On October 21st of last year, you said, “The Iraqi security force will number 125,000 by the end of the year, there will be 145,000 security forces by February, and 200,000 by the time of the permanent election.” And then March of last year, Secretary Rumsfeld, “We now”—he said, “We now have 200,000 Iraqi security forces that are out there providing security in the country.” And a month later, he said, “210,000 in uniform,” and called it, quote, “an amazing accomplishment.”

And now, what I'd like to know is what you all mean by “trained Iraqi security force.” Do you mean someone who we give a uniform to, someone who had been in the Iraqi military before, or the police? Or does “trained” mean someone capable absent a physical presence of the United States or a coalition force with them to, in fact, do their job, whatever it's assigned, in whatever region they're in? What do you mean by “trained?”

Dr. RICE. By “trained,” Senator, what we've been trying to do is to take Iraqis—some of whom have served before, some of whom have not—and to give them, depending on whether it's police training or army training or commando training, the skills that they need to be able to secure the country. Now, we have had to, in many cases, understand that this is—that the initial training is—just that, it's initial training, and that you face a number of other

issues. You face the issues of leadership. One of the problems that we've had with the desertion rates that we faced in the Iraqi security forces and with some of the problems of—I'll call it, "discipline," broadly—is that we think there has been leadership gap. We learned, early on, that Iraqis were not going to train and then serve coalition leaders. And so—

Senator BIDEN. What have we done about that leadership gap?

Dr. RICE [continuing].—we have a very active program now that Prime Minister Allawi is very involved in, himself, of vetting proven leaders in the former Iraqi security forces to bring top-down leadership to those people. NATO, of course, has put in a training mission that is devoted to training leadership, and a—

Senator BIDEN. That's not even set up yet, is it?

Dr. RICE. Well, it's—we have, on the ground—

Senator BIDEN. I'm not criticizing. Look, here's the reason I asked this question. I talked about, earlier—and my time is about up—I talked, earlier, about the need to level with the American people. When you say we have 200,000 trained security forces, and the Secretary of Defense says you have 210,000, the impression of the average American is that, we've actually trained up people who can do the job.

Now, I've made four trips there, three since Saddam came down. I've gone to the training facility for police in Jordan. With the American head trainer, I said, without anybody there, and I believe my friend—and a person who has an ideological bent considerably different than mine—my friend from South Carolina was there. I said, "There's no one in the room. Please cut all the malarkey. Is this training program worth a darn?" And the answer was, "No," from our own trainer. I asked the head of the Jordanian police force who was there, and the Canadian Royal Mounted Policeman who was there as the triumvirate running the operation. I've been back and spoke with General Petraeus on two occasions. He is a first-rate soldier. He has indicated that he is just basically beginning.

How many—and this is my last question, Mr. Chairman—how many security forces do you think are trained that can shoot straight, kill, and stand their ground? I don't mean in a uniform. I spent four hours in Fallujah. Our marines are not real anxious to stand next to, and count on, a lot of Iraqi forces, except the few that were trained as special forces. Now, how many do you really think are trained that Allawi can look to and say, "I can rely on those forces?" What do you think that number is?

Dr. RICE. Senator, I have to rely on the what I get from the field. And, by the way, I think that the trips that you've made, and the trips that the others have made, have given us information that we can go back with, and I appreciate your doing that

We think the number right now is somewhere over 120,000. We think that, among those people, there are clearly—continue to be questions about on-duty time; that is, people who don't report for duty. And so, this is being looked at. We are trying to provide, for some of these units, mentors who can help, trying to provide leadership from the Iraqis, themselves, that can help these people.

But this is the reason that Gary Luck has gone out, at Secretary Rumsfeld's direction, to take a hard look at the training program

to see what General Petraeus—who, as you say, is a terrific soldier and has a lot of experience in Iraq—what he’s been able to achieve, to work with the Iraqis to address some of these problems of leadership and morale and desertion in the armed forces and in the police forces, and to look at some of the equipping of the police forces.

But I do want to note, Senator, that the Iraqis are making a lot of sacrifices here——

Senator BIDEN. No question.

Dr. RICE [continuing]. ——their soldiers, their police. In places like Fallujah and places like Samara, and places like Najaf, they have played an active role in their security. But it is a process that takes some time. We believe that we’ve made some progress. We have more progress to make.

Senator BIDEN. Well, I thank you for your answer. I think you’ll find, if you speak to the folks on the ground, that they don’t think there’s more than 4,000 actually trained Iraqi forces. I strongly urge you to pick up the phone or go see these folks. And the reason I press it is not that the Iraqis aren’t sacrificing; they are—but that’s almost irrelevant in one regard: the exit strategy for America is a trained force of several hundred-thousand people. We’re talking about a year or more to get anywhere close to that. We should level with the American people about it. But after you take a hard look, as Secretary of State, I’d like to talk more with you about that.

Thank you.

The CHAIRMAN. Thank you, Senator Biden.

Senator Hagel?

Senator HAGEL. Mr. Chairman, thank you.

Welcome, Dr. Rice.

Dr. RICE. Thank you.

Senator HAGEL. Mr. Chairman, I have a statement that I would ask to be included in the record.

The CHAIRMAN. It will be included in full.

Senator HAGEL. Thank you.

[Senator Hagel’s prepared statement follows:]

PREPARED STATEMENT OF SENATOR CHUCK HAGEL

Mr. Chairman, I congratulate Dr. Rice on her nomination and look forward to working with her in her new position as Secretary of State. She has served with distinction as Assistant to the President for National Security, as well as in other National Security Council positions. Dr. Rice comes to this job well-qualified and prepared to take on her new responsibilities.

The challenges for U.S. foreign policy over the next four years will be formidable. U.S. foreign policy cannot be separated from our energy, economic, defense and domestic policies. It all falls within the arch of national interest. There will be windows of opportunity, but they will open and close quickly. Foreign policy will require a strategic agility that, whenever possible, gets ahead of problems, strengthens U.S. security and alliances, and promotes American interests and credibility.

Our public diplomacy requires convincing the next generation of the world that America’s purpose is not defined solely by our power. It is to work with our friends and allies to help build a better world for all people. A safer, more stable and prosperous world is in America’s interest. That message has been lost. I am not sure how it happened, nor do I believe that it was solely our fault. I do know that public diplomacy is not about packaging, marketing, or spin. It is about our policies and, most importantly, our actions. It is a long-term process of engagement, dialogue and enhancing present relationships and building new ones.

American policies in the war on terrorism must address the political and economic conditions that breed radicalism and violence, especially in the Muslim world. Poverty and underdevelopment do not necessarily lead to terrorism. But a lack of political freedom and economic opportunity undermine the prospects for stability and democracy in developing regions, and present easy targets for extremists.

We must think creatively about how best to reorganize our foreign policy structure for stabilization and reconstruction missions, whether in post-conflict situations like Iraq and Afghanistan, or following natural disasters like the tsunami in Asia.

America's inter-agency process and our military have done a tremendous job helping those people affected by the tsunami. We learn from experiences that test and exercise relationships within our own government.

The U.S.-Europe-Japan alliance has been the foundation of our post-World War II global strategy and should remain so. America is both an Atlantic and Pacific power. Our alliance with Europe and Japan functions as a bridge between East and West, Atlantic and Pacific, and is based on a shared commitment to democracy, free trade, and global leadership. In addition to strengthening our Trans-Atlantic bonds as Europe undergoes its own historic changes, America's Asian alliances will also require attention and focus. The Asia-Pacific region will greatly define America's interests in the 21st century.

America's relationships with Russia, China and India will shape international politics, commerce, and security in the coming decades. These are powerful states undergoing dramatic and historic changes. Our bilateral relations with Russia, China and India will require a delicate diplomatic balance of security and commercial interests, as well as support for reform and human rights.

The Western Hemisphere must be a high priority for U.S. foreign policy. The U.S. relationship with Mexico is as important as any relationship we have. The United States' cultural integration with the Western hemisphere is a fact of life—more than 50% of U.S. immigrants are from Latin America. The United States and Mexico must work together on immigration policies that further our shared interests in a more stable and prosperous Western hemisphere.

There are few more urgent challenges facing this country today than immigration reform. A new 21st century U.S. immigration policy must be developed and implemented. I look forward to working with the Bush Administration on immigration policy and plan to re-introduce my immigration reform bill in the next few weeks.

America must recognize the opportunities, however imperfect, presented by the election of Palestinian President Mahmoud Abbas (Abu Mazen) earlier this month, and the election of the Iraqi National Assembly, which will take place on January 30.

The Israeli-Palestinian issue lies at the core of our strategic engagement with the Middle East and the Muslim world. The United States, its Quartet partners—the European Union, the United Nations, and Russia—and the Arab world must now actively engage in helping Israelis and Palestinians re-start the Peace Process. It will not be easy. Israeli Prime Minister Sharon faces a political challenge from Israeli settler groups and from those within his own Likud Party opposed to Israeli withdrawal from Gaza. Terrorists and extremists will continue to be a security threat to Israel and will seek to undermine Abu Mazen's government. That is happening now. We must not allow terrorists to hold hostage Middle East peace and the future of a two-state solution.

The National Assembly elections on January 30th represent a critical benchmark for Iraqi sovereignty and self-governance, as well as for an American exit strategy from Iraq. Developments in Iraq will influence and constrain America's foreign policy initiatives as long as U.S. combat troops remain there. We need a military exit strategy for Iraq. The questions are when and how. An exit strategy requires a sovereign Iraqi government and a strategy for diplomatic partnerships and regional security with Iraq and its neighbors.

This hearing is an opportunity to discuss with Dr. Rice the war in Iraq, other foreign policy challenges facing the United States, and the Bush administration's plans and initiatives to deal with them.

Thank you.

Senator HAGEL. As has been noted here and, I think, eloquently stated by Senator Feinstein, you come before this committee impressively qualified, well prepared, and it is a nomination all of America can be proud of. And I mean that sincerely. So thank you for offering yourself for another four years of very engaging, responsible leadership. We appreciate that.

I also want to note, Mr. Chairman, for the record, the good work of Secretary Powell, Deputy Secretary Armitage—I noted, Dr. Rice, that you mention him in your statement—the work that the Powell-Armitage team has done for this country over the last four years has been significant. All those who were part of that team need to be acknowledged, as well. So thank you, Dr. Rice, for noting Secretary Powell's leadership.

I want to pursue, to some extent, some of the same line of questioning on the same subject, as well as other subjects in my ten minutes, that Senator Biden was talking about: Iraq. He left off with exit strategy. Would you explain to this committee what you and the President see as an exit strategy for America from Iraq, which would be, I suspect, connected to a post-January 30th election, which will provide an Iraqi—an elected Iraqi national assembly? What are our plans after that?

Dr. RICE. Well, we do have some things that we have to accomplish after the elections. Senator Biden has talked a lot about the training of Iraqi security forces. I think that's probably, in many ways, our most important task. Iraq's most important—the task of the Iraqis is to find a way forward from their elections for political reconciliation. And we can, of course, try to help in that, and do what we can to support that effort, but that's largely an Iraqi task. I think for us to try and improve Iraq's capability to defend itself.

And I will just say, I have talked with people from the field, and I recently talked with General Casey, who was back here, and others. I think they think that they are doing relatively well on starting to get the numbers up for Iraqi security forces, but that they do need to address these questions of leadership, which then lead to problems with desertion and the like, and that they need to do something that is actually quite promising, which is to work with the Iraqis who have some ideas, themselves, about how some of these security forces might be restructured. So we will focus very heavily, I think, on trying to give the Iraqis, or help them get, more capacity on the security side.

It is also the case that, of course, we will continue to seek the terrorists, and to help them fight the war on terrorism that they are now fully engaged in, and to try and continue to help in building capacity in the Iraqi ministries. Because, ultimately, the coalition is there because the Iraqis lack certain capacities. And if we focus, in this next period after the election, on helping them to build those capacities beyond where they are now, I think we will have done a major part toward the day when less coalition help is needed, across the board. The——

Senator HAGEL. May I——

Dr. RICE. Of course.

Senator HAGEL [continuing]. ——may I just ask——

Dr. RICE. Certainly.

Senator HAGEL [continuing]. ——a followup to that? How will that change from what we have been doing? Can you give this committee some specifics of what you've stated? You've framed clearly—I think we understand what you said. I support what you—what you're talking about, your objective. But how will that change from what we have been doing? Fewer troops? Less troops? More

NATO troops? Or what will envision the change in what you're anticipating our role to be? And connect that to an exit strategy.

Dr. RICE. Well, our role is directly proportional, I think, Senator, to how capable the Iraqis are. And so, as the Iraqis become more capable, then I would assume, certainly, our help will be needed less. I am really reluctant to try to put a timetable on that, because I think the goal is to get the mission accomplished, and that means that the Iraqis have to be capable of some things before we lessen our own responsibility. But we will be working with a newly elected government, and I'm quite sure that they're going to have their own ideas about how this—how we move forward to improve security. The Iraqis will take more and more responsibility for fighting the terrorists, for rooting out the Ba'athists. And we have to help them get there.

If I could just add, Senator, on—we also, of course, have a major task of continuing, on the reconstruction front, to employ the resources that were given to the executive branch by the Congress so that we can help the Iraqis with their reconstruction tasks. But I see it as a diminution of our responsibility, over time, as the Iraqis become more capable. So we need to focus on building their capability.

Senator HAGEL. Will that require a change of policy?

Dr. RICE. I don't think it requires a change of policy. We have all had, over time, an evolution of attitude, which just comes from the fact that, as you work with increasingly more representative and legitimate Iraqi government, they have more say in how this is all done. And I think that that's only appropriate and right. We are no longer in occupation of the country, as we were under the Coalition Provisional Authority. And so, this has become a very intensive partnership with the Iraqis to get these tasks done, and I think that will probably continue to—

Senator HAGEL. Well, let me—

Dr. RICE [continuing]. —to accelerate.

Senator HAGEL [continuing]. —let me ask you, on the basis of troops, if I have read accurately—and you've noted this, General Casey's statements regularly; when some of us were over there last month, we met with General Casey, as well as other general officers—will that mean that the 150,000 or so American troops we have there today will now be refocused on acceleration of training or—what does this mean in the way of actually accomplishing what you are talking about?

Dr. RICE. Well, we're certainly, right now, very focused on security for the election. And while that will pass on September—on January 30th, there will continue to be important security tasks to make sure that the initial stages for this new government are secure. But one of the things that the Luck mission is to try and determine is what the path forward is with the Iraqis, in terms of security. Are we training the right—continuing to train the right security forces? What ought to be the roles and responsibilities of coalition forces in training, versus active security? How much can the Iraqis take on some of these active security roles themselves? So we thought that the time just before the election and leading to after the election was an ideal time to have this mission. And I think we will get some answers from that mission.

Senator HAGEL. Thank you.

Let me move to the Israel-Palestinian issue. What do you and the President envision as a new role, or a different role, for the United States now as a result of the Palestinian elections? For example, are you contemplating a special envoy? How are we going to engage more deeply and widely than we have in the past? Or are we going to? Give this committee some sense of where we're going in the next year.

Dr. RICE. We all believe—and most especially, the President—that we have a really good opportunity here, given the election of a new Palestinian leader, and given the Israeli Gaza withdrawal plan, which is linked to the West Bank through the forced settlements that would be dismantled in the West Bank, as well. We think this is a moment of opportunity. That means that there is going to have to be engagement at all levels. I expect, myself, to spend an enormous amount of effort on this activity.

I can't substitute for the parties and their willingness to take on their responsibilities, and that's the message that we have to keep sending. We've had to note that—how hard this road is going to be was in evidence during this last few days, and we've pressed very hard for the Palestinians to take on terrorism, because we're not going to get very far if there is terrorism from the Palestinian militants. But you can be sure that we will have very active engagement, because we think this is a time of responsibility.

I think I need to, for the time being, demur on the question of a special envoy. No one has objections, in principle, to the idea of an envoy, but it is a question of whether that is appropriate to a particular point in time in the process that we're involved in.

Senator HAGEL. But, as Secretary of State, you intend to be very involved, engaged, with considerable activity as we go forward.

Dr. RICE. Absolutely. Because, Senator, I don't think we can afford to miss this opportunity if the parties, themselves, are willing to really take advantage of the opportunity.

Senator HAGEL. I probably have time for one question that's going to be on more—one more question—immigration. You noted, in your prepared delivery—and I thought it was excellent; you covered a number of the areas that we all have interest in, and we'll want to go deeper into them—but you talked about exchange programs. You hit on that, I thought, very—a very important point. Immigration reform. Is the President going to push for immigration reform?

Dr. RICE. As you know, the President has been concerned about, and a proponent of, immigration reform going back to the time that he was Governor of Texas, when he faced these issues as Governor. He has a proposal on the table for a temporary-worker program that would serve the purpose of—purposes, in a humanitarian sense, in that it would help to alleviate what is really a humanitarian crisis for us. It would help us economically, because matching willing workers and willing employers is an extremely important thing for our economy, when Americans—when there are jobs that Americans will not take. It's not an amnesty, and the President's been very clear about that, but it also has, for our security, real implications, because if we are not asking our border guards and our border personnel to deal simultaneously with immigration

that comes out of economic circumstances, and dangerous border infringement that comes out of terrorism, and they have a more regularized way to deal with the former, we think that that will make it easier to deal with some of the terrorism and concerns about bad people coming to do bad things.

Senator HAGEL. I'm going to reintroduce my comprehensive—I think the only bipartisan immigration reform legislation of last year—I'm going to reintroduce it. I look forward to working with you on this. I don't think there is a more urgent problem America has to deal with today—far more urgent than Social Security, in my opinion—than this immigration reform issue. So thank you.

Mr. Chairman, thank you.

The CHAIRMAN. Thank you, Senator Hagel.

Senator Sarbanes?

Senator SARBANES. Mr. Chairman, thank you very much.

First of all, I want to welcome our new colleagues to this committee—Senator Murkowski and Senator Martinez, on your side of the aisle; and Senator Obama, on our side of the aisle. We're very pleased to have them join the committee.

And, Dr. Rice, I want to join all of my colleagues in welcoming you—

Dr. RICE. Thank you.

Senator SARBANES [continuing]. —here before the committee today.

The post for which you've been nominated is obviously an extremely important one, perhaps the premier post in the Cabinet. And in an independent and interconnected world, where events that happen thousands of miles away can affect our own economy, our health, or our national security, literally within minutes, the Secretary of State can make a critical difference in our everyday lives.

In my view, a Secretary who forges meaningful partnerships to foster peace or reduce global poverty and hunger, promote democratic values, and address emerging threats can set our country on a course to greater security and prosperity. By the same token, I think a Secretary who adopts a unilateralist approach in the international environment may miss important opportunities to prevent conflicts and to build alliances. And, in that regard, I'd just note that it's not enough to have the ear of the President; I think the Secretary of State must also win the ear of the world.

Before I turn to my first question, I want to note that I have watched Senator Lugar work assiduously on this cooperative threat reduction issue. I think he and Senator Nunn provided exemplary leadership. And Senator Lugar, assisted by Senator Biden and others on this committee, has continued to pursue that issue. And the only counsel I would give you is, listen to Senator Lugar on the cooperative threat reduction question. He knows the issue, he's lived with it, he's invested an incredible amount of his own time and effort to try to make it work. So I would hope the administration would, in effect, follow his counsel and guidance on this issue. I know of no one who knows the issue better, or whose advice is more measured and more reasoned than that of the Chairman.

I'd extend the same advice, if I may be so bold as to do so, in terms of hoping you would listen to Senator Biden and Senator

Hagel in their interchange with you about Iraq. They've both been there now a number of times, at some risk to themselves, obviously, as anyone who goes out there well knows. And it seems to me, the counsel and advice they have given is perceptive, it's measured, it's tough-minded, and I would very much hope the administration would listen to that.

Now, my first question is based on a new book by T. R. Reid, a very distinguished journalist. His book, which has just only recently come out, is entitled, "The United States of Europe: The New Superpower and the End of American Supremacy." And I want to talk some economics with you here this morning. I looked through your statement quickly, and, other than a couple of references to "prosperity" and to "free trade," there's not much in it on economics. And I think that's a very important dimension of what we need to discuss here.

A review of this book, which recently appeared in the *New York Times*, said that small things happen, of which we may not be aware, but over time they gather, and then they become instrumental. They really end up having a very significant impact. Let me just quote here, "Sometimes major events take place quietly, their import obscured by the hubbub of more arresting happenings. Only with time is the shift perceptible."

And in that regard, I'd like to show you just three charts that set the context. First is a chart that shows the U.S. Trade deficit.

[The charts to which Senator Sarbanes referred appear in Appendix II to this hearing transcript.]

Since Senator Dodd is an important part of our efforts to get a trade surplus, I don't want to close him out of this discussion.

Senator DODD. I've been in your shadow for years.

Senator SARBANES. As this chart shows, it's pretty apparent what's happened here. There has been an incredible deterioration in recent years in the U.S. trade deficit. And it's estimated that we're now running a trade deficit of well over \$600 billion a year, by far the largest trade deficit in our history. Now, of course, when you look at the current accounts—which is a somewhat broader measure—we have the same situation. Again, we see an incredible deterioration in the current-account situation, and much of it highly accelerated in the last four or five years. And the end consequence of running these large trade deficits and these large current-account deficits—astronomical for us, in historical terms—is to give us this marked deterioration of our net investment position. Our net investment position is now going well over the three-trillion mark.

Now, it seems to me, this ought to be a matter of very, very real concern. Chairman Greenspan, testifying before the Congress, said that "the rate at which the U.S. is running current-account deficits and accumulating external debt is unsustainable." He said, "countries that have gone down this path invariably have run into trouble, and so would we." And just a few days ago, the president of the New York Federal Reserve Bank, Timothy Geithner, said in a speech, "The size and concentration of external imbalances in the system are at an unprecedented scale, between 5 to 6 percent of GDP, in the case of the U.S. current account deficit." He concluded,

“what’s new is that we are significantly more dependent today on the confidence of the rest of the world in U.S. economic policy and the safety and stability of our financial markets.”

Now, the *Economist* recently said, talking about the dollar as the reserve currency and the challenge now to the dollar that’s coming from the euro, “Never before has the guardian of the world’s main reserve currency been its biggest net debtor.” “Never before has the guardian of the world’s main reserve currency been its biggest net debtor.” And the *Financial Times*, earlier this year, in an editorial entitled “Borrowing From the Rest of the World,” warned, “Like Tennessee Williams’ ill-fated character Blanche Dubois, the U.S. has long been dependent on the kindness of strangers. Foreigners’ hitherto insatiable appetite for dollar assets is what has enabled the U.S. to keep running on credit for so long. Like Miss Dubois’ dysfunctional relationships, this one is symbiotic but potentially hazardous.”

How serious do you regard this situation as being?

Dr. RICE. Well, I know, Senator, that the President and his economic team regard it as a serious set of issues that they will be dealing with. The President has talked about the importance of the fundamentals of the American economy, strengthening the American economy, the importance of a strong dollar, which continues to be our policy. He’s talked about the need for budget discipline. And I think he is working toward a budget that will express that.

Senator SARBANES. Do you consider this a matter for your agenda? After all, it affects American power and the ability to project power, and there’s a lot of suggestion now that the economic basis on which we can project power is being substantially eroded.

Dr. RICE. Yes, Senator, of course it is an important—the strength of the American economy is an important issue for American power, and, therefore, an important issue for the Secretary of State. I do think that the help that our diplomacy and our foreign policy can give to a strong American economy comes, for instance, through trade and through the efforts that we make to promote free trade, and to promote it on a basis in which the playing field is level. The United States is engaged in, through the person who will become my deputy, I hope, if you confirm him, Bob Zoellick, a very active trade agenda through the Doha development agenda, which will improve growth worldwide, but also will improve the American economy, because we’re believers in free trade. I think—

Senator SARBANES. But the trade balance—

Dr. RICE [continuing]. —I think that is one way that we can help.

Senator SARBANES [continuing]. —has worsened markedly. I mean, something’s wrong with the set of policies we’re pursuing, it seems to me, if we’re going to have the kind of erosion in the trade balance that we have seen, particularly in recent years. It’s a very negative figure. And, of course, every year the figure is negative, the amount of debt that we owe overseas and our dependence upon others increases.

Dr. RICE. Senator, there are a number of factors that have contributed to that, and the—I do think that the economic team is aware and trying to deal with those factors in the American econ-

omy. Where the State Department and our diplomacy can be supportive is really in two ways—first, to promote a trade agenda that is—that levels the playing field, that makes certain that the rules of the trading system are followed. For instance, many of the changes, economically, are coming as the result of a strong and growing China, and China's role in the world economy. The need to make certain that China is, in its growing strength in the economy, playing by the rules of the international economy, is enhanced by the work that we did to have China accede to the WTO. We now, of course, have to make certain that China is living up to its obligations on the WTO. So we spend a good deal of time, for instance, trying to get the Chinese to react to intellectual-property-rights issues.

Another way that the State Department can help with this very important agenda is to make certain that the markets of others are as open to us as our markets are to them. And that's an activity that I would expect to be involved in as a part of my diplomacy, I've been involved in as National Security Advisor. If we're not to have deformations in the way that the international economy works, then people cannot be protectionist.

Those are some of the ways in which I think the diplomacy can support a strong economic policy. And I agree with you completely that a strong economy is very important to our national—to our international standing.

I would note that we are still the fastest-growing of the major developed countries of the world, so we have considerable economic strength.

Senator SARBANES. Well, we're growing in a way, though, that causes us to become increasingly mortgaged to others. China and Japan now are holding tremendous dollar reserves, which then, of course, play into the trade relationship much to their advantage, so that we become more dependent. They're able to skew the trade arrangement to their advantage, which makes us more dependent, and the vicious circle continues in a downward spiral.

But I see my time is expired. I may revisit this in another round. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Sarbanes.

Senator Chafee?

Senator CHAFEE. Thank you, Mr. Chairman.

And congratulations and welcome, Dr. Rice.

Dr. RICE. Thank you.

Senator CHAFEE. Senator Feinstein mentioned how proud your parents John and Angelina must be, and, here in spirit, would be, rather. And out of curiosity, did your father know Martin Luther King at all?

Dr. RICE. He did. And—he was a minister in Birmingham, and they all did, and everyone admired him. We also had a number of friends who worked with him, like Reverend Fred Shuttlesworth and—who was a giant in our community.

Senator CHAFEE. Well, Dr. King's one of my heroes.

Dr. RICE. Yes. Mine, too.

Senator CHAFEE. Senator Hagel mentioned the distinguished career of your predecessor, Secretary Powell, and I'm curious as to how you might look at the improvements as we go forward, or how

you—what would you see, as you come in now, as the new Secretary of State—what improvements might be occurring—

Dr. RICE. Okay.

Senator CHAFEE [continuing]. —in the State Department?

Dr. RICE. Thank you, Senator.

The goal here is to build on the considerable achievements of Secretary Powell and Deputy Secretary Armitage. I think that it is well recognized that they did a great deal to improve the fundamentals in the State Department, and I would hope to follow on that. For instance, the Diplomatic Readiness Initiative, which brought whole classes of new people into the diplomatic corps. We can't afford, again, to get to the place where we skipped several years in hiring of Foreign Service officers. That—you pay the price for that later down the road. You pay for the price for it early, too, because you don't bring in that new, young energy. And so, I would hope to continue to press the Diplomatic Readiness Initiative.

I know that the Secretary was, kind of, appalled when he saw the state of technology in the State Department. And Senator Allen has had a particular interest in this. I gather—I don't know if it's apocryphal or not—that people were still using WANGs in certain parts of the State Department—not that there was anything wrong with WANGs; it's just a few generations back. And they have done a lot on the IT side. And I would expect to continue to try to help people have those tools.

I will say, I've had briefings about this, and they've made wonderful investments in the infrastructure, the hardware. I, myself, chaired Stanford's executive committee on the changing out of Stanford's information technology systems. And Stanford, even though it was in the heart of the Silicon Valley, had a terrible set of legacy systems. The hard part now is to give people the training and the software and the ability to use that technology in their jobs, and I would hope we could do that.

They've made tremendous progress, I think, on the training of people. Colin's emphasis on leadership training and skills, management skills, for the State Department personnel is extremely important. We have to make sure that people are well paid and that they are valued.

But the most important thing—and here they've made tremendous progress—is on the security of our personnel abroad. We operate in a very dangerous environment in which everybody—many, many bad people would like nothing better than to wreak havoc against American interests abroad. And so, the efforts that have been made to build new security into the facilities and to revamp our most vulnerable posts will be a very high priority for me. The first meetings that I had were with the Under Secretary for Management, and I would expect to make that a large part of the agenda.

Senator CHAFEE. Do you see any significant changes ahead?

Dr. RICE. Well, there are—there's always need for change, because, of course, conditions are different. And I think we have to continually review and update the skills of our diplomatic corps. We're asking our diplomatic corps to do more, actively, in, for instance, helping transform whole societies, getting in and helping the Iraqis with their currency exchange, or getting in and helping

the Nigerians root out corruption. These are skills that are of a more active transformational diplomacy, and one that probably wasn't really foreseen in the earlier stages of building Foreign Service skills. So I look forward to working with those people, but also with Members of this committee, who I know have some interest in skills development, to see if we can push that envelope.

Senator CHAFEE. Well, thank you.

As Chairman of the Middle East Subcommittee of the Foreign Relations Committee, I'm interested in your comments on the Israeli-Palestinian issue. And in your opening statement, you talked about, "America seeks justice and dignity and a viable independent, democratic state for the Palestinian people." Can you expound—expand at all on "viable?" What do you see as a viable Palestinian state?

Dr. RICE. Well, there are several ways to think about viability. One is that it has to have territory that makes it viable. It cannot be territory that is so broken up that it can't function as a state. And I think that's now well understood. It has to have economic viability. And, there, it probably needs to have economic viability in relationship to other states around it—to Jordan, to Israel, and to others. And viability also comes from democratic institutions. One of the things that I think we didn't pay enough attention to in the past is the development of democratic institutions in the Palestinian territories. In a time when we are promoting the progress of democracy in the Middle East, the Palestinians are a people who should be able to adopt those habits and take them up. They are a talented, in many ways educated population, a population that has tried, even under very limited circumstances, to have some, at least, pluralism in their politics. And so, viability, I think, also has a political or a democracy dimension that we need to pay attention to.

Senator CHAFEE. I'm sure that many Palestinian moderates would like to hear more specifics on what might constitute a viable Palestinian state. Are we looking at something perhaps along the Geneva Accord lines?

Dr. RICE. Well, I—as the President said when he met with Prime Minister Sharon back in—I think it was May—we have to recognize that the parties are going to determine their borders, that it is not for us to prejudge what those borders might be. There has been a lot of negotiation. I think we will—they will need to look at what has been looked at before. But the June 24th, 2002, speech really focused on some fundamentals to get us to the place that discussions of final status would be successful. And those fundamentals now seem to be starting to come into place. The new Palestinian leadership—I think, a Palestinian leadership, at least in word—is devoted to fighting terror. It needs to be, indeed, as devoted to fighting terror. An international community that, whenever I talk to people, is quite devoted to, and taken with, the idea of helping the Palestinians to build those democratic institutions, to reconstruct, economically, in areas which Israel leaves. We have, in Israel, a new coalition that was built around the idea that Israel will disengage from the Gaza and from the four settlements in the West Bank.

And we now really—I'd just like to mention the neighbors. The Arab states have responsibilities here, too. And they can't incite violence against Israel, on the one hand, and call for peace and a two-state solution, on the other. And so, we've got work to do with them.

But, as the fundamentals are beginning to come into place, everyone can be certain that it is a very high priority to seize this moment to try and push toward the day when we have interlocutors who can work on the final status issues.

Senator CHAFEE. In the news today, some were calling upon the new Palestinian leadership to be more proactive against some of the violence which is occurring within their own ranks. The previous Palestinian leadership did not intend to go—to do that, under Yasser Arafat, the danger being that once Palestinians take up arms amongst themselves, you could have Palestinian civil war. How do you—how do we go forward with that dilemma?

Dr. RICE. Yes. Well, I do believe that Abu Mazen made a good start in what he said, which is that there really is no route to a Palestinian state through violence. And that means that he is appealing, in my—to my mind, correctly—to those Palestinians who realize that the use of terror techniques, the use of violence is not going to result in the fulfillment of their national aspirations.

Having said that, the people who insist on violence, and insist on terrorism, have got to be isolated and, ultimately, disarmed. The Palestinians are fond of saying, "There has to be one authority, one gun." We can help with that, because the restructuring of the Palestinian security forces is something that we have helped with in the past, and should now, with other neighbors like Egypt or Jordan, be helping with in the future. The construction of unified Palestinian security forces that are accountable to the Palestinian leadership and are not, in effect, armed gangs is probably one of our most important tasks.

So I don't see it as a matter of civil war; but, rather, as a matter of the isolation of those who are unwilling to pursue the aspirations of the Palestinian people through peaceful means.

Senator CHAFEE. Well, thank you very much, Dr. Rice. I see my time is up. I just returned from a trip with Senator Dodd and Senator Nelson—

Dr. RICE. Yes.

Senator CHAFEE [continuing]. —to Latin America, and I have to say, Senator Dodd was a good leader of this trip—he has perfect Spanish—and a good ambassador for the United States as we travel in the region.

The CHAIRMAN. Well, thank you, Senator Chafee. And what a wonderful introduction of our questioner.

Senator Dodd?

Senator DODD. Bienvenido a nuestra commite.

Dr. RICE. You'll stimulate me to answer in Russian. I'm sorry, Senator.

Senator DODD. I'm not going to try and ask you questions in Spanish. Welcome to the committee. And, Mr. Chairman, thank you very much.

Let me also join my colleagues in welcoming our new Members to the committee—Mel Martinez, who I got to know when he was

Secretary of HUD and appeared before my other committee, the Banking Committee, on numerous occasions; and Senator Murkowski, of course, a colleague from Alaska; and Barack Obama, new Member from Illinois. We're delighted to have all three Members here.

Senator SARBANES. Senator Martinez has gone on the Banking Committee. He wants to work over his successors.

Senator DODD. I know. I'll expect you to ask tough questions in those hearings and through the confirmation process.

Let me also, Mr. Chairman, commend you for your opening statement, and some very wonderful ideas that you've raised here. I particularly want to commend you for working hard, I think all of us will join you on this side, to get an authorization bill out of this committee as early as we can, by March. And that's a—we've done it once before in my tenure on this committee, when you chaired the committee a number of years ago. It was a very exciting time for the committee, and I look forward to working with you to achieve that reality.

Let me also join with Senator Sarbanes and Senator Biden in commending you and our former colleague, Senator Nunn, for the efforts in the Nunn-Lugar approach. You and I have talked about this on several occasions over the last year or so, and I'm heartened to hear you raise it again as such a priority. I think it's critically important. There's still time for us to make a difference in this area. And, Dr. Rice, I appreciate your response to Senator Lugar's question in expressing a strong interest to see the ideas that Senator Lugar has offered are ones that you could endorse and support and urge the President to do, as well.

Let me also join Senator Hagel in—this is a transformational time, as you talked about, for American foreign policy. We'd be remiss in this committee if we did not express our deep sense of gratitude to Colin Powell and Richard Armitage and the staff they put together. He's been a tremendous public servant, and whatever else life holds for him, he deserves our commendation for the job he's done for our nation. So we thank him for that, as well.

And I want to thank my colleagues for raising some of the issues they have. Obviously, Iraq is a major current foreign policy question and, rightfully, would dominate a lot of our conversation here today.

As Senator Chafee mentioned, Senator Chafee and Senator Nelson and I just completed an eight-day trip to Latin America—Venezuela, Paraguay, Argentina, Peru, and Ecuador, coming back. And I want to focus some attention on that in this first round. There are other questions I have.

There are roughly 600 million people in this hemisphere, excluding ourselves, who look to the United States for leadership. Two of our most important trading partners—Mexico and Canada—are, of course, in this hemisphere. The issues that Senator Sarbanes has raised about economic policy are absolutely on target and one that we should be paying much more attention to, in my view. Because, as we have found over the last eight days traveling in South America, these issues are the ones they care the most about, in many ways, and they're the ones the absence of our attention to these questions over the last number of years, for reasons they under-

stand—certainly, 9/11 diverted our attention elsewhere, the events in the Middle East have certainly dominated our attention. But I want you to know, at least my observations over the last week or so, is, we're in trouble in this hemisphere, Dr. Rice. We're in deep trouble in this hemisphere. And I—others may know other parts of the world well, and certainly there have been great changes in China and India, Russia, the Middle East, certainly in Africa, but we need to get back on track in this hemisphere. And I'm going to ask you a broader question about what direction we're going to take here.

Let me tell you, just briefly, some of the things that we found over the last seven or eight days. And my colleagues, Senator Nelson, Senator Chafee, can add or detract from these conclusions.

We found facing—these governments facing major demands from their citizens, with inadequate resources to meet those demands. In fact, the budget indications coming out of the administration are significantly—going to provide significantly less resources, in terms of aid to this part of the world, than has been the case in previous years. You mentioned the important years of 1947, '48, '49, and thereafter, in terms of our efforts to grapple with the great challenge of the second half of the 20th century. Certainly, one of the great speeches given, that set the tone for that, was Harry Truman's only inaugural address, in which point 4 would set up the U.S. aid missions. It made a huge difference in the 1950s and '60s, the Alliance for Progress that Senator Kennedy initiated. These ideas had strong economic components to them as we grappled with the great challenges facing choices in those days between what the Soviet Union offered and what we offered. So we found great demands on the part of the citizens of these countries.

We found government institutions that have been weakened and co-opted by unsolved internal political disputes. We found government officials interested in concluding bilateral free-trade agreements, not only because it would improve access to our markets, but because they know it can be a means of institutionalizing reforms, that it will mean more jobs and incomes for their citizens.

We found government leaders concerned about the decline in U.S. resources available to assist them fight against narco-terrorists, terrorists ready to take advantage of the lawlessness created by the systemic corruption that exists generally throughout the region, and especially in the tri-border area of Paraguay and Brazil and Argentina, where Muslim organizations are reportedly raising and laundering money to support their international ambitions.

We found government leaders frustrated by the suspension of U.S. military assistance and training to their military services because of our fixation with the international criminal court, as codified by the American Servicemen's Protection Act, which links continued assistance to these areas to the signing of the so-called Article 98 Agreements of the United States. And I heard this from American military personnel, Dr. Rice—not from foreigners, but our own personnel worried about placing so much emphasis on that point we're stopping the training so necessary to build those relationships in this century with people in that part of the world.

We found government leaders desirous of positive relationships with the United States, and disappointed that our government

hasn't made relations with them a higher national priority. Even President Chavez expressed an interest in improved relations with the United States. Putting aside the obvious issue that's going on in the last several days, it's going to be critically important that we try and do something new with Venezuela than the continued policies of isolation, in my view.

So I'd like to get from you, if I could, after these opening comments, Are we going to have a new direction here in this critical part of the world? Senator Hagel mentioned immigration. No other issue. Vicente Fox, the one issue that he was hoping he'd get some resolution from over the last four years was on immigration, and nothing was done. One speech that I'm aware of, no legislation introduced, no effort up here to make a difference. It's a crippling economic problem here at home and a sword of continuing contention between one of our very, very important allies around the globe and the closest neighbor to us with some of the important issues. What are we going to do about that? And are we going to change some direction here? Or are we going to stick with the policies of the past that are creating some serious, serious problems in this part of the world for us?

Dr. RICE. Well, thank you, Senator Dodd. And thank you, also, for the time that you did spend. And I look forward to talking to you more about the future of Latin America, Western Hemisphere. It's obviously extremely critical to our agenda.

Let me start with Mexico and Canada, because the relationship with our closest neighbors—a good policy begins with the relationship with your closest neighbors. I do think we've made a lot of progress with Mexico and Canada on a number of issues. For instance, on the Smart Border Initiative, which has helped us to solidify and codify our homeland-security concerns, it was something that we needed to do in the face of 9/11 and the terrorist threats and the relationships that our Homeland Security Secretaries have been able to forge so that we get to a position where the borders are allowing in commerce, but not allowing in those who might harm us. And that was very important, because I remember, in the very first days after September 11th, that some of our efforts to secure the border were actually very quickly going to prevent commerce. And so, we needed to find the right balance. And we've made a lot of progress, in terms of the use of technology. And those Smart Border initiatives will continue.

We also, with our Mexican and Canadian counterparts, are talking a lot about what the next steps are in our NAFTA relationships, because, as—Senator Sarbanes talked about some of the economic difficulties the United States may face, or some of the difficulties we may face if we're—if we should have problems in our economy—we also face a lot of competition around the world. And as we have watched Europe and the European Union integrate its economic policies, I think it has raised questions about what the future can look like for NAFTA and for the NAFTA states to extend those relationships. And we've had discussions about what the next phases are. And I think that is a way forward, and I would look forward to having extensive discussions about how we improve the competitiveness of Northern America as we face competition from the rest of the world.

We also have been very active in Central America. And I would agree with you, there are very grave challenges now to some of these regimes. And we don't want to repeat what has tended to be a cycle in Latin America of democratic developments followed by authoritarian ones. And I don't think that we have to.

In Central America, and in Latin America, we have to recognize that, while there are, in many of these places, growth rates that are very, very high for these regions, that the ability for these countries to actually deal with the problems and demands of their people are—that's really the next step. And we had, at Monterey, a number of discussions about developing the human potential of these countries, worrying about education and worrying about literacy and worrying about economic opportunity for people. These are, in many ways, very highly stratified societies, and we need, in the United States, to associate ourselves, I think, with the struggle of those who are trying to overcome that stratification. We can't just associate ourselves with an old order. We have to be concerned about the indigenous peoples that are trying to find their rightful place in a political and economic system. Our own history should tell us that that's an extremely important task ahead.

So it is a very big agenda to do what the President has been trying to do, which is to promote democratic development and democratic institutions, to begin to marry those democratic institutions with economic progress for the peoples of the region.

Certainly, one of the ways that we can contribute to the twin progress of democracy and economic development is through trade, and we have had a number of successful free-trade agreements. We had the free-trade agreement with Chile. We are—you, in the Senate, will be contemplating, at some point, a free-trade agreement, the CAFTA agreement. We continue to work, with Brazil as our co-chair, to try and push forward on the Free Trade of the Americas Agreement. So trade is a big part of this agenda.

If I might just take one other moment to say that we also are trying to work relationships, key relationships in this region, in a very aggressive way. And I would focus for just a moment on the relationship with Brazil, which I think is extremely critical to the region.

There are others, as well, but the President and President Lula have met on a couple of occasions. We had, in the earliest stage, a meeting of both cabinets to try and have an agenda going forward. Because if we think about the real challenges, those are economic, social mobility, education and literacy for people, and how that can be done within democratic institutions so that the challenges don't have to come from outside of democratic institutions, we need partners in that. Brazil is such a partner, but so are others. And I would hope to really spend some time with the Organization of American States making certain that the agenda of promoting democratic development, holding accountable leaders who do not govern democratically, even if they are democratically elected, that that would be an agenda that we could mobilize around.

Senator DODD. Well, I thank you for your broad answer. My time is up here. Let me—just a couple of points.

One, this underscores the point Senator Sarbanes was making, in my view, that—I, too, was a bit disappointed, reading your open-

ing statements, about the parsity of—paucity, rather, of comments about economics and the importance of the issue. You've highlighted this exactly, and you're correct, this is part of the issue. But I think it's critically important that we pursue these issues without expressing yet, until we see them, these final agreements on these trade agreements.

But I would hope—and if you want to quickly answer—Are we going to have these trade agreements up here in short order? You and I both know that if you wait—even good trade agreements, if coming up at the wrong time up here, the circumstances, can fail. And if they fail, I think the implications could be serious for the region.

So, quickly, are we going to see CAFTA and the DR Trade Agreement coming up, the Andean Agreement, which they're working on right now? Are we going to see those sooner rather than later, an administration priority?

Dr. RICE. Well, we will certainly work with the Congress on this. But we, obviously, would like to see these agreements sooner rather than later.

Senator DODD. And let me just comment, please, I think Senators Chafee and Nelson and I would tell you, as well, we were very impressed, Mr. Chairman, with the competency and quality of the State Department personnel we ran into in these countries.

I would hope, as you're making choices about the senior positions, there's some wonderfully talented, knowledgeable people about this part of the world, and my hope would be that you'd put a team together that would reflect the very things you're suggesting in response to my questions. Because I think you will agree with me: for reasons we may understand, we've really got to pay more attention to this part of the world.

Dr. RICE. Thank you. Senator, may I just have one moment? You asked—you mentioned Venezuela, and I'd like to just address that quickly, if I may.

We have a long and good history with Venezuela, and long ties. I think it's extremely unfortunate that the Chavez government has not been constructive. And we do have to be vigilant, and to demonstrate that we know the difficulties that that government is causing for its neighbors, its close association with Fidel Castro, in Cuba—still the only empty chair at the OAS is that of Cuba, because it's not a democratically-elected government. And those relationships are deeply concerning to us, and to me. And we are very concerned about a democratically-elected leader who governs in an illiberal way. And some of the steps that have been taken against the media, against opposition, I think, are really very deeply troubling. And we're going to have to, as a hemisphere that signed a democracy charter, be devoted to making sure that those who signed that charter live up to it.

Senator DODD. Well, I appreciate your saying that. But it's a two-way street, Dr. Rice. It requires we work on it, as well. It's not the 1960s or '70s, and there are people down there—you mentioned President Lula. I can go back and show you statements that President Lula made that would compete with anything President Chavez has said, yet we've found a way to work with this new president. My strong suggestion is, find ways to do this. Going back and

repeating these statements over and over again only digs the hole deeper and deeper. And that's an important relationship, it's important in the hemisphere. We need to work at it. My hope is, you will.

Thank you.

The CHAIRMAN. Thank you very much, Senator Dodd. I congratulate you and Senator Chafee and Senator Nelson on the trip. I know Senator Coleman has been very active in the area, too. And I would underline the request that we really have people in the Department who are on top of the situation. I think that Senator Dodd makes a good point, a group of people really interested in the area, forwarding these difficult situations.

Let me call now on Senator Allen.

Senator ALLEN. Thank you. Thank you, Mr. Chairman. I guess this is on. And I'd thank all the Members preceding me for their questions.

And, Dr. Rice, I've thoroughly enjoyed listening to your statement and your very positive life story. Four years ago, as a rookie Senator, I was introducing Secretary Powell, or General Powell, to this committee, a genuine American hero. Your personal life story, and his, although in different backgrounds, certainly are an inspiration and, I think, very helpful for us as we, as a country, try to advance freedom for people all over the world.

And I do think that when you talk about your life story, and bringing up Birmingham, I would encourage some of my colleagues, there's a civil-rights pilgrimage every year. Last year, I went on it. Senator Coleman was there—Senator DeWine, a few others. This year, Senator Corzine, on the Democrat side, me on the Republican side, will be heading a delegation there for the 40th anniversary of the Voting Rights Act. And it goes—you go to Birmingham, that church that was bombed that I know that you are a member of, as well as Montgomery and Selma. And I found it a very moving, profoundly impacting, and very meaningful event for me. And a lot of those who—now, Dr. King, obviously, is gone, but many of those who were involved in the civil-rights movement are actually still alive, and you can talk and question them on what they were trying to do.

Now, Dr. Rice, you mentioned the future, which is important. And some people call the 20th century "America's Century." I believe, as you do, that the 21st century needs to be "Freedom's Century." Individual freedom, regardless of race or gender or ethnicity or religion, are key. I look at those as some of—the four pillars of freedom or individual liberty are: freedom of religion, freedom of speech—you used the town-hall test—three is private ownership of property, and, fourth, the rule of law to protect those rights, and constitutional rule. And we do learn from history. That's why I like reading and listening to your statement.

You referenced Truman—President Truman and Acheson and so forth, and—1947 to 1949, and that is fine, that was the beginning of the Cold War. I will say, though, that President Ronald Reagan, George Schultz, Cap Weinberger and that administration were the ones who changed that dynamic of the Cold War from one of containment and coexistence to the advancement of freedom. Some criticized President Reagan for calling the Soviet Union—in my

view, rightfully—"The Evil Empire." They criticized him for going to the Brandenburg Gate and telling Mr. Gorbachev to "Tear down that wall," but that's actually what did happen. Because of that, there are now hundreds of millions of people tasting that sweet nectar of liberty in Central Europe, Friends and allies, not just in the war on terror, but also economically, thanks to that leadership.

One of the things that was key in those years was Voice of America and Radio Free Europe. Presently, there's still Radio and TV Marti, insofar as Cuba is concerned.

One of the concerns that I have presently, insofar as the Arab world and, more particularly, Iraq, is—we may grouse about what TV stations people may watch or what radio they may listen to. There are so many satellite dishes that you see in Iraq. I would like to get your views—and Senator Biden brought this up in his opening statement, just a glancing blow of it. What is your view of what we can do with the Board of Broadcasting Governors to find a way of—not propaganda, not music, but just facts—

Dr. RICE. Yes.

Senator ALLEN [continuing]. —about the United States, our motivation, or just the concepts of freedom, so that the people of Iraq and others in the Arab world have a fair and balanced view of the United States and our purposes and the concepts of individual liberty?

Dr. RICE. Yes. Well, we really do have to enhance our efforts, I think, in getting our word out, and getting "the word" out. And I used "the word" advisedly, because Radio Free Europe and Voice of America and Radio Marti are about telling the truth, not about propagandizing, and we have to make certain that people that otherwise don't have access to the truth receive it. We also have to make certain that people who are hearing what are sometimes just incredibly amazing propaganda and lies about our policy have alternative sources of information.

And so, I would expect that, as the part of a broad public-diplomacy effort, which I really want to emphasize, I think this is something that we really have to pay attention to. We've done some good things, we've done some good things with al Hurra, which is the Arab-language television satellite station. We have done some good things with Radio Farda and Radio Sawa. Obviously, we've done some good things with Radio Marti. But—and TV Marti—but there is, perhaps, in this war of ideas, nothing more important than getting out the truth.

And so, I look forward to working with the Broadcasting Board of Governors, respecting the line that is there, that has been observed between the State Department and the Board, but recognizing that if we're going to win the war of ideas, then we're going to have to really compete on the playing field a lot better than we're competing right now.

I think it's broadcasting, but I also look forward to broadening our exchanges and our efforts to get people here so that they know what America is about. Some of our student exchanges have been probably our most valuable policies. I remember sitting in many places where the prime minister or the economics minister or the foreign minister were people who studied in the United States, and they obviously have a different view of us.

So I can't think of a more important task.

Senator ALLEN. Well, count me as one who's going to want to work with you to make sure that we're getting news and information out to people in those areas. We actually don't have the same problems we have with jamming, say, to—

Dr. RICE. Right.

Senator ALLEN [continuing]. —Cuba or with the former Soviet Union in that regard.

Now, when you talk about students, let me go to the second issue, and that has to do with visas. You mentioned in your remarks, "America must remain open to visitors, workers, and students from around the world." I hear from business leaders, from those in research and also in the scholarly or the collegial—in the literal sense—community how difficult it is for people to get visas. Clearly, after 9/11, we do need to have better information. The consulates all have to have the information that Defense Intelligence has, and the CIA, so that visas are not granted to people who should never be allowed into this country. However, in between there, of completely shutting it down, and with these long delays, versus no scrutiny whatsoever, in my view, are ways that we can be utilizing technology. Your predecessor, Secretary Powell, has done a great job in upgrading the technology, so at least they can e-mail back here in—within some of the embassies.

The technologies on visas, whether it's a variety of biometrics, need to be implemented. We need to show the lead, here in this country, clearly harmonizing, particularly with Europe and certain Asian countries where we do have a lot of visitors, whether they are for tourism, whether it's for business, whether it's research, or for our universities. Can you share with me and our committee what you envision of utilizing better biometrics and ensuring security while also stopping this—or reducing the lengthy, inhibiting time involved in acquiring a visa for somebody who is a safe traveler to come to this country?

Dr. RICE. Well, obviously, after September 11th we had to worry about who was inside the borders, and I think we took a number of steps that were very important and long overdue. But it is also important to remain open.

Now, I—the State Department, should I be confirmed, under my leadership would be resolute and attentive to the security issues and the kind of policies about biometric passports and biometric identification. I want to look at where we are on that issue and—to make sure that we can get the standard in place so that when we require others to have it in place, that we have been in the lead. It's obviously the case that you can't ask others to do what you won't do. And so, I will pay a lot of attention to that, and spend some time understanding whatever impediments there are to getting that done.

As to the visa policies, themselves, and the slowness, I would very much like to have the time—and also the counsel of this committee, because I think it's the one issue that came up when I talked to almost every Member of this committee—to see what we can do to improve this situation. It's partly—a lot has been done. Secretary Powell and Secretary Ridge worked very hard on it. They made available some information-sharing between various agencies

that has made it quicker. We put a lot of stress and pressure on our consular people in this process, and I appreciate their good works.

But there is clearly and certainly more that we can do. And I look forward to working with Judge Chernoff, if he is confirmed, to see what we can do to give a sense of greater openness to people who want to come here, not to harm us, but to be a part of this great experience that is America.

I am a big proponent of, particularly, student exchanges, having been, myself, in a place that had a lot of foreign students. It's the best policy that we can have. Universities will have to play their part in helping us to make sure that the policies that they are carrying out help with the security.

But this is something that I'm going to pay a lot of attention to, Senator.

Senator ALLEN. Thank you, Dr. Rice. I look forward to working with you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Allen.

Senator Kerry, as you—before you came in this morning, Senator Biden paid tribute to your service on the committee, and let me join him. We're proud that a Member of our committee was a candidate for President of the United States, and we're delighted that you are here today.

We recognize you for your questions.

Senator BIDEN. Mr. Chairman, if I may interrupt, I indicated to Senator Kerry. I am very disappointed that he's back. But I am happy to see him.

Senator KERRY. Well, Mr. Chairman, I wish we could have translated your pride into some votes, but thank you, anyway. But I respect the pride, and I love your friendship, and I thank you for it very, very much. And to my friend Joe, the Ranking Member, I want to thank him also for his comments. I actually heard them back in the office, and I wanted to thank you personally, both of you.

I guess it's, sort of, good to be back.

Dr. Rice, welcome. Welcome to the world of oaths and testimony and congressional accountability, which I tried so hard to distance myself from for awhile.

I admire, enormously, your personal story. I admire the road you've traveled. I admire your relationship with the President, which is obviously special. And he certainly has the right and prerogative, as we all know, as President, to make choices. You are going to be confirmed, and everybody knows that. But without anything personal at all, whether or not it is with my vote is yet to be determined.

I have reservations. And they are not personal in any way whatsoever. But they do go to the story and trail of the last four years. And I even listened closely to your answer to Senator Biden a few moments ago about troops, and the numbers. And, frankly, your answer disturbed me.

Despite Paul Bremer saying he thought they needed more troops, despite General Shinseki talking about more troops, despite the acknowledged mistake by so many people, certainly all the leaders I

met with in the region in recent days, about the disbanding of the military, the de-Ba'athification that went as deep as it did, despite the failure to guard ammo dumps, the weapons of which are now being turned on our troops, despite the failure to guard nuclear facilities, when, after all, the purpose of the invasion was to deal with weapons of mass destruction, despite the inability to deliver services immediately, despite the security level that we have today, you sat there this morning and suggested it was the right number of troops, contrary to the advice of most thoughtful people who have been analyzing this.

The Chairman of this committee, at one point, said that he thought the administration's efforts with respect to the delivery of aid, et cetera, was embarrassing. The Ranking Member on their side, Senator Hagel, thought it was both pitiful and even reached a zone of dangerous. So there's, sort of, this hanging-in-there to the status quo, which is worrisome. And then, afterwards, you said, "Well, there were unforeseen consequences, unforeseen events, because the army melted into the countryside." Well, that wasn't unforeseen. That's exactly what they did in '91. And we, in fact, encouraged them to do it, because we leafletted and broadcast and told them that if they disbanded, we would pay them, and they would not suffer any consequences for putting down their arms and going home and getting out of uniform. So we told them to do that. But we didn't pay them. We went back on that promise. And they got angry and organized.

Now, having just come back from there—I haven't been as many times as Joe, but—in Fallujah and Kirkuk and Mosul, I talked with Iraqis, who are trying to make this work, who are desperate about the lack of support from Baghdad, the lack of resources coming. And they almost feel forgotten by Baghdad.

And it seems to me that if the administration is going to—you know, we went in to rescue Iraq from Saddam Hussein. Now I think we have to rescue our policy from ourselves. And what I learned from every single leader over there—and, you know, I don't come back with any joy in this, but it's, sort of, the reality we've got to deal with. We've got kids who are dying over there. They're going on missions that, in my judgment, are questionable in what they're going to achieve, in terms of the population and the overall goal. I hope General Luck comes back with some judgments about that.

Our troops are stunning. Superb. You know that, I know that, the President knows that, every American knows that. But they deserve and want a policy. They ask questions, you know, "How are we going to do this? How are we going to get out of here? How are we going to take care of this business?" And what I came away from was an unbelievable sense of willingness of the community-at-large—European leaders, Arab leaders—to do more, to be able to be more a part of this.

My question to you is several-fold, and there are a lot of questions I want to ask, in a number of areas, obviously—North Korea proliferation, the Middle East, a whole host of things. But all we've have time for in these rounds is probably this first initial effort.

Every Arab leader I asked, "Do you want Iraq to fail?" says no. "Do you think you will be served if there's a civil war?" They say

no. "Do you believe that failure is a threat to the region and to the stability of the world?" Yes. Same of European leaders. But each of them feel that they have offered more assistance, more effort to be involved, want to be part of a playing field that's more cooperative, and yet they feel rebuffed.

I'll give you an example. President Mubarak said to me, "We're only training 146 officers." He doesn't understand why; offered to do more, hasn't been taken up on it, by Iraqis or by us. Similarly, European leaders are prepared to do more, in terms of training. I know they don't want to put boots on the ground; well, I understand that. But we're not training people with the sense of urgency that recognizes that there's only one way out of this successfully, and that is to provide the capacity off Iraq to have stability and then, with the stability, to affect a political reconciliation that they all talk about, critical to making up for what will be the deficiencies of this election.

So the event we have to look at is not the election, itself, but what you do—you and the President and this administration—in the immediate minutes and hours after that election, to change this dynamic.

Now, can you share with us what you believe the reality is on the ground and what steps you intend to take to change this dynamic that is spiraling downwards and not resolving, you know, centuries-old conflicts in the way that we ought to be?

Dr. RICE. Thank you, Senator. I know that you've been there recently, and I look forward to hearing from you on what you found. I do think that we have to look at the overall difficulty and complexity of trying to help a society recover from the kind of tyranny that Saddam Hussein imposed upon it.

This was never going to be easy. It was always going to have ups and downs. I'm sure that we have made multiple—many decisions, some of which were good, some of which might not have been good. But the strategic decision to overthrow Saddam Hussein was the right one, and we're all going to be very glad that we no longer have to deal with a bloody dictator, in the middle of the world's most dangerous region, who was an avowed enemy of the United States. I would rather trade the considerable difficulty of helping the Iraqi people get to a democratic future, and a future in which they will be allies in the war on terror, for what was, yet again, a chance or a policy that thought that we could buy stability even if there was a regime of the tremendous brutality of Saddam Hussein's in place in the Middle East. And so, I think we made the right decision to overthrow him.

Having made that strategic decisions, you're right, we do have some big tactical challenges to get the strategic—to the get to the strategic goal that we have.

After the election—and I do think the election is an important event, it's a next step on the Iraqi people's road to a better future. It is not the final step. It's a step that will allow them to elect leaders who will then begin the political process of trying to deal with the many divisions and historic and other divisions that the Iraqi people, themselves, have. And they're going to have to make political compromises to do it. They're going go have to find their own way politically, and we will be there to support them. That is per-

haps the most important set of steps that have to take place after this election.

Our role, as you rightly say, is to focus on what we can do to help them build capacity in their security forces and in their economy. And in their security forces, again, I—we can talk about what was foreseeable or what was not—the people who are fighting now, yes, some of them are frustrated young people, and we need to do—and Allawi is doing—Prime Minister Allawi is doing what he can to siphon those people off and to give them a stake in the future of Iraq, and he's doing it—we will help him with jobs programs. I think we do, as one adjustment, need to pay more attention to what jobs we are creating for Iraqis out of the reconstruction dollars that we are spending. And that's one issue that I've asked to have looked at a little bit more closely. If the metric is, "How many jobs are we creating," how are we really creating jobs for the Iraqis?

But many of the people who are blowing up their fellow citizens, are blowing up Iraqis, are not actually people who were angry because they weren't paid. They are people who were part of Saddam Hussein's regime. They were Ba'athists, at the high level of Ba'athism—not people who joined the party because they had to, to get a job, but people who enjoyed the benefits and the fruits of Saddam Hussein's regime, and people who spent their lives oppressing their fellow citizens. They've lost power, and they want it back. And so, we have to be clear who the enemy is here.

Others are foreign terrorists, like Zarqawi, the face of terrorism, who, frankly, do see Iraq as the central front in the war on terror. And they were committing terrorist acts someplace. They weren't sitting and drinking tea someplace. They were fighters, hardcore fighters, in the war on terrorism; now they've decided to fight in Iraq.

Senator KERRY. Can I just interrupt you for a minute?

Dr. RICE. Yes.

Senator KERRY. I understand that. I mean, you're describing for me the different groups of terrorists. I know who they are. Some of them are criminals, some of them are jihadists, some of them are the former Ba'athists, some of them are Zarqawi. We understand that.

The question I asked you is, what are you going to do? Why have we rebuffed the efforts of others to be involved—Russians, Indians offered peacekeepers, others involved, the U.N. offered at a point in time. There have been a series of offers here, and we keep, sort of, making this decision to go it alone. And there's a frustration out there in the global leadership that's wondering, you know, whether we're going to change that dynamic and bring them to the table in a legitimate way.

Dr. RICE. Well, Senator, the only reason that I rehearsed who we're fighting is that there was the notion somehow that these were people who were made angry by—

Senator KERRY. Well, somewhere—

Dr. RICE [continuing]. —our policies. I think most of them were made angry by the fact that Saddam Hussein was overthrown. But, you're right, there are people who we need to respond to who need jobs and the like.

As to international help, I would note we do have an international coalition. We have 27 countries on the ground with us, soon to be 28. Yes, some of the contributions are small, but, for small countries, they are significant contributions. We have contributions from places like Japan and South Korea that one would not expect, Asian allies who are serving in Iraq, and we need to honor those contributions.

Senator, I'll check, but, frankly, I'm not aware of Russian effort—or Russian offers of peacekeepers—

Senator KERRY. Indian—

Dr. RICE [continuing]. —or Indian peacekeepers—

Senator KERRY [continuing]. —peacekeepers?

Dr. RICE [continuing]. —in Iraq. As a matter of fact, quite the opposite, that there don't seem to be people who are willing to put forces on the ground. There are people—

Senator KERRY. They offered training, and—

Dr. RICE [continuing]. —there are people who, in differing ways, are offering training. For instance, we've taken up, and have been using for some time, the German efforts at training in the UAE, for police forces. The Egyptians have trained some people. We'll look at what more they can do.

Senator KERRY. Germans say they could do more.

Dr. RICE. And we will—if they want to do more, they only have to say they can do more. And I can guarantee you we will want them to do more.

One of the things that I will do, going forward, is, after this election is over, we have a chance now to, as an international community, support a new elected Iraqi government. And it may be a time that we can enhance the contributions of some members of the international community. But it is not for lack of trying that we have not been able to get forces on the ground from some of these countries.

Senator KERRY. Well, are—my time is up, and I want to—we're not really finished with it, in a sense, but let me just say to you, very quickly, that, as you make a judgment about this, I think all of my colleagues would report to you—and I think you'll hear it from generals and others—that current policy is growing the insurgency, not diminishing it. And you need to think, as—I mean, I'm still, sort of—you know, try to see if we can be more precise about what you intend to do to change this dynamic and affect the political reconciliation necessary. There are many people who believe that Kirkuk, for instance, may explode because of the Kurd issue, after the election, because of what happened in their efforts to move people in, and they were denied the effort. And so, the dynamics of the election could actually, without the proper actions, provide a greater capacity for civil war than there is today, absent the right steps.

Dr. RICE. Senator, I think that the elections—the Iraqis understand the opportunity that the elections will give them to address some of the divisions that you are talking about. There is no doubt that Iraq is a country that has deep divisions, and it is a country where Saddam Hussein exploited those divisions—for instance, with the policy of Arabization in Kirkuk. And so, they have a long and hard road ahead to effect national reconciliation.

But I've been, frankly, quite heartened by the fact that the Shia, whenever there is an attack against them by Zarqawi and his people or by the insurgents, don't take to the barricades. What they say is, "This is going to be a unified Iraq, and we're not going to fall to sectarian violence."

So I think we need to give them a chance here. You know, the political process, as you well know, and you all know better than I, is one of coming to terms with divisions—coming to terms with institutions that mitigate against people's sense of alienation. It takes time, it takes effort. Sometimes the compromises are a bit imperfect, at first. But, over time, it gets better.

You know, we've had our own history with this. I often say, and I don't mean it jokingly, that, so far, I have not seen the Iraqis, or, for that matter, the Afghans, make a compromise as bad as the one in 1789 that declared my ancestors to be three-fifths of a man.

So we need to be patient with people as they make these moves to democracy, understand that it will be in small steps, that they will have ups and downs, that the whole process will have ups and downs. But as long as they're on a strategic road that is getting them to a government that can actually represent the aspirations of the Iraqi people, as a whole, I think they've got a chance.

The insurgency wants, very much, to halt that process and throw Iraq back. We have to provide the Iraqis with the tools—through training, through capacity-building—to defeat that insurgency, with our help. And that's what we're trying to do.

Senator KERRY. I couldn't agree with you more. The only question is why it's not happening at a pace that maximizes the capacity for success and minimizes the potential of disaster. The Sunnis are viewing this election, as you know, with the highest level of anxiety and suspicion. They view it as, sort of, a quasi-American joining with the Shia to provide Ayatollah Sistani and the Shia with a power-hold that they never could achieve in several hundred years otherwise. And unless there's some kind of reconciliation process, that every European leader and every Arab leader talked to me about, which currently isn't on the table, we're going to have an exceedingly hard time, sort of, patching that together.

I want to have happen what you just described. My fear is, there is nothing that shows me a sufficient level of sophistication and openness to bringing people to the table to make it happen. I think you have a unique opportunity now. But I'd like to hear the administration articulate a little more how it intends to proceed to grab that opportunity.

And I've abused my time. I apologize, Mr. Chairman.

The CHAIRMAN. Well, thank you very much, Senator Kerry. The Chair has allowed the exchange to proceed because it was an important one, and perhaps there will be a further opportunity to continue that dialogue.

I'm going to suggest, respectfully, to Members that there will be four more Senators recognized before we have our break today, and that will get us farther and farther down the batting order, so that we can commence this afternoon with recognition of everybody else, and then maybe a second round.

Senator Coleman.

Senator COLEMAN. Thank you, Mr. Chairman.

I want to join those in applauding Secretary Powell and Deputy Secretary Armitage for the work they did.

And I also do want to note that some of us are overjoyed to have Senator Kerry back here with us today.

Senator KERRY. There's going to be a certain unanimity over there.

Just pass a quick resolution and move on.

Senator COLEMAN. I also want to make note of the incredible work that the Foreign Service staff does. I just came back from a bipartisan trip, with Majority Leader Frist and Whip McConnell, Senator Landrieu, from Louisiana, and Senator DeWine, from Ohio. And we had a chance to be in Iraq with Ambassador Negroponte and his staff, many of whom are former ambassadors who have come back into service, and not the ambassadorial level. That level of commitment is just extraordinary. I saw that in Afghanistan and Pakistan and India and other places that we were—in Brussels—as part of our journey. So I just—I don't think we give enough credit to folks who are doing such great work for this country.

Just an observation from my trip, and perhaps a little different perspective from Senator Kerry's. One, what I saw was an incredible moment of opportunity, right now. I met with Prime Minister Singh of India, and he said that relations between America and India have never been better. Have never been better.

And I didn't sense, by the way, that sense of being rebuffed in Iraq. In fact, the sense I got—and we raised the issue of Iraq with all the leaders in Pakistan and in India and with the European Union—I think there's a tentativeness, certainly about the security situation in four of the 18 provinces. There is a concern—not a concern, but there is a hope—that the election, the election that's going to take place, that has to take place—has to take place—on January 30th, provides a moment of opportunity, with two more elections to come. But one of the great success stories, which we don't talk about enough, is Afghanistan. The election there was a paradigm-shifting event. Paradigm-shifting event. President Karzai ran on a platform of developing a stronger strategic relationship with the United States—and was elected. Eighty-two percent, by the way, of the voters were women. And in Minnesota, where we pride ourselves in having the highest turnout in the nation, I don't think we get 82 percent. Pretty stunning.

And so, the sense I got is, Afghanistan is this great miracle. Iraq, in four of the 18 provinces, deep concerns. But we met with Carlos Valenzuela, the U.N. Advisor to the Election; he said the election would pass, today, international tests of credibility and independence. It would be a solid election.

In Pakistan, we met with Musharraf, who was not democratically elected, but talked about a commitment to democracy within two years, talked about a vision of enlightened moderation within the Islamic world. And that was heartening. He's got to follow through now. We have to hold him to those commitments. But we saw that.

And then, in Brussels, with the EU, with Secretary General de Hoop Scheffer and European Union President Barraso, they talked a new wind blowing, a new moment of opportunity.

So I hope that, Dr. Rice—and I'm sure you recognize—there is this moment of opportunity, for whatever reason. The President's going to be there four more years. What happened in Afghanistan with the election, I think, is very important. I don't think we reflect on it enough. And the sense I got from our allies is not that they're being rebuffed, but a little hesitancy. But now they're ready to come forward, and we have to then seize the moment.

The challenge, in two areas that I think are critical. One—and Senator Dodd raised—in Latin America. I'm deeply concerned that—we've had 20 years of democracy that, I think, threatens to be undermined by economic promises that aren't fulfilled. And I think we need to be focused on that region. And then, in the second round of questions, I think I'll specifically ask about Colombia and talk about that. So I think there is a great challenge. And the other is Russia. I think in your comments you talked about an uneven path “the path to democracy is uneven.” I would agree with Senator Biden that what we're seeing is a slippage, we're seeing a reversal of course, we're seeing a regression on the part of the Russians. And as the President prepares to meet with Putin, I just hope we continue to press this issue.

In fact, I'll raise a micro-issue, and the micro-issue has to do with some religious documents important to the Jewish community, the Schneerson documents important to the Chabad-Lubavitch community. I marched for Soviet Jewry—for the issue of freedom for Soviet Jewry—in the 1980s here in Washington. And we still face those issues.

So my concern is, as we look to develop our relationship with the Russians, that we continue to press them on the religious freedom issues, these documents in particular. I continue to have deep concerns—deep concerns—as to what I see as a regression.

So I just want to make that statement, and I hope that you would, kind of, push on those. The little things sometimes become big things.

Dr. RICE. Thank you. And we will very much push on those issues and the issues of the Schneerson documents, but also religious freedom. I think you're very right, we need pay attention, in Russia, to what is happening to individual rights and—as well as religious freedom.

Senator COLEMAN. Let me raise, then, in this round, just one other issue. Obviously, my Subcommittee is involved in the investigation of Oil for Food. We just had a release of documents. By the way, I want to thank the State Department. I know, within the budget committees of the U.N., they pushed to have member states have access to these reports. And, as a result, we got them a lot quicker, because of that kind of support, that kind of focus.

These most recent documents highlight a lot of mismanagement, serious mismanagement. We fund 22 percent of the U.N.'s operating budget. We've had, as you know, a terrible environmental crisis, which, by the way, we responded to very, very well. The Indians also responded well. I worry about the ability of the U.N. to be able to respond credibly when we've got this stain of mismanagement. Again, I think we're just seeing the tip of it right now. Our investigation will go on, but these audits demonstrate se-

vere mismanagement of resources. That is simply not tolerable with concerns and the needs that we have.

Can you reflect a little bit on the Oil for Food impact on U.N. credibility and how do we move forward?

Dr. RICE. Yes, absolutely. I would agree with you that it is a—I'll use the word "scandal." I think it is a scandal that—what happened with Oil for Food. And it is extremely unfortunate, because it—not only did it allow Saddam Hussein to continue to get resources, it really did—it was very hard on the Iraqi people. So we had the worst of both circumstances. It was also the process that we were relying on, of course, to keep Saddam Hussein contained and checked. And clearly we weren't doing that. The sanctions were breaking down. He was playing the international community like a violin. And we can't let that happen again, should we ever get into a position where we have to do something in terms of sanctions. It's just outrageous.

Now, I hope that the Voelcker commission will get all of the cooperation that they need from the U.N. to continue their process. And we have worked—and I appreciate hearing that things have gotten better for the congressional committees here, because we really do expect openness and transparency and information flow from the United Nations. I know we've made State Department people, who would have knowledge, available to talk with people here. We've opened up the Iraq—the Iraq Survey Group's files, in effect, to people. We've got to get to the bottom of what happened here, and those who were responsible, I think, should be held accountable.

I will note that some changes are being made at the U.N., in terms of the structure of the staffing there, that more changes have been recommended as a part of the high-level panel, and the United States has to stay active in the U.N. reform process, because we want the U.N. to be effective. We don't want it to be an ineffective organization. We have too much work to do together, and it has to be in—it has to be effective, and it has to be admired and—for its integrity and its programs. And so, this will be an important agenda for us.

And if I could just go back to the point that you made earlier, Senator Coleman, which is about the moment of opportunity. It's very easy, in the day-to-day, to lose sight of some of the things that you mentioned. I do think that if you had sat here two-and-a-half years ago trying to talk about the situation in Afghanistan, you might have wondered at the sanity of someone who said that there was going to be an election, with a president elected who was running on a platform that he is pro-American, who would have dealt pretty effectively now with the warlords around him, who is moving toward women's rights and the likes. I think we would have thought that farfetched.

Similarly, if you had sat here three-and-a-half years ago and said that Pakistan was going to turn its guns on extremism, rather than supporting the extremists in places like al Qaeda and the Taliban, you would have, again, said that this is farfetched.

So we have to remember that these are historical processes.

And I want to just go back to Iraq for a moment. This is a huge historical change that is going on in the center of the Arab world,

and it has great promise, and it has great peril. And we are aware of both. But we shouldn't lose sight of the promise of Prime Minister Allawi and the leaders, including the Shia leaders, reaching out to Sunnis and saying, "You are going to have a place in this government. Yes, you are only 20 percent of the population, and, yes, the Shia, who are now 60 percent of the population, have been repressed, as have the Kurds, but that doesn't matter. We're going to have a common Iraqi future." And my read is that the reason that Sunnis are nervous about this election is not that they want to boycott the elections because they think they're somehow just a shield for Sunni—for Shia dominance, but, rather, because there is widespread intimidation by these thugs against the Sunni people. We have to recognize what the motivation is here. The Sunnis want to participate in these elections, but there are people who are engaging in the most brutal intimidation.

And so, the Iraqis, I think, will find a way to, after the elections, unify their country again, and we have to be there to help them. But from the historical perspective of 30,000 feet, it's sometimes important to see the long sweep, not the short—short term.

Senator COLEMAN. And we heard that from our bipartisan visit just last week.

If I can, Mr. Chairman, I would like to enter into the record a commentary by Paul Bremer that was in the *Wall Street Journal* of January 12th.

Dr. Rice has answered the concern raised by Senator Kerry, but Bremer did note in this article, he said, "Moreover, in July 2003, we began paying a monthly stipend to all but the most senior former officers. These payments continue to this day. So if any former army officers is involved in the insurgency, it is not for money; their objective is simply to retake power and to return Iraq to its horrible past." So I would like that to be part of the record.

The CHAIRMAN. It will be made a part of the record.

[The article to which Senator Coleman referred appears in Appendix II of this hearing transcript.]

Dr. RICE. Thank you.

The CHAIRMAN. Thank you, Senator Coleman.

Senator Feingold?

Senator FEINGOLD. Thank you, Mr. Chairman.

Let me join the other Members of this committee in congratulating you, Dr. Rice, on your nomination. I've always enjoyed our conversations and work together. It's long been apparent that the President has tremendous confidence in you, and his choice to nominate you to be the Secretary of State at a time when the United States faces so many profound challenges and so much global distrust, is still more evidence of his deep and abiding trust in you.

Dr. Rice, obviously you and I disagree on many issues. I actually think that the Bush administration's foreign policy over the last four years has been, on many fronts, misguided and self-defeating, and I will continue to oppose these policies.

Nothing is more important to this country than prevailing in the fight against terrorism. In that effort, and the related effort to repair our country's image and create a more stable and just and

prosperous world for our children to inherit, we have to make sure our policies are effective and well thought out.

I just returned, two days ago, from a trip to Algeria, Chad, and Mali. And, after that, I'm even more convinced than before that we need to make a much more substantial commitment to ensuring that the vast youthful populations of the Middle East and Asia and Africa do not mistakenly believe that our goal is to humiliate them, and, therefore, believe that their best hope might be a movement, that may seem to promise pride and belonging, but actually delivers hatred and repression and brutality and terror.

So, Dr. Rice, where we do agree, I hope to be a strong and active ally of yours. We have to make the right policies work.

Just as an aside, I note that, in response to Senator Coleman's questions, you talked about the need for accountability of the U.N. for the Oil for Food Program. And I agree with that. But I just have to note, shouldn't the demand for accountability also apply to this administration for the long litany of mistakes and misstatements about Iraq? There hasn't been serious accountability for that. So I'm not going to hesitate to point out mistakes or raise questions. The stakes are too high.

And I'd like to begin by continuing an exchange you had with Senator Kerry. You indicated that if there are countries willing to do more to help us stabilize Iraq, quote, "All they have to do is say they want to do more." I think this comment troubles me.

Americans are dying, and our approach to burden-sharing is to wait for others to come to us?

I would like to hear a little bit about what your strategy will be to proactively reach out, to squeeze every drop of assistance from others that is available. That will be your job. We just can't sit and wait for others to raise their hands and volunteer.

I wonder if you could comment on that?

Dr. RICE. Of course. And, Senator, let me be very, very clear about this. We have been reaching out to others and asking them what they can do to stabilize Iraq. It is a constant preoccupation of Senator—or of Secretary Powell, who has talked to every counterpart that he has about what might be possible. It is something that the President has raised in his many meetings with people. It's something that we took to NATO, and that's how we got the NATO training mission, talking to people about what NATO can do. We mobilized the world to—the G7 to give debt forgiveness to Iraq, which will save that country a lot of resources and make it possible for it to recover.

I know, in my personal conversations around the world, I always ask the question. I start with the premise that we all want to see a stable and democratizing Iraq. I then go on to say that I understand that we've had differences in the past, but that now we all have a common future in looking to a stable and democratizing Iraq. And then the very next question is, "So what can you do to help?" And this has been a preoccupation of reaching out.

My only point was that we will have another opportunity when the elections are held, elections that will come out of a process that the U.N. blessed in a U.N. Security Council Resolution, and that countries that may have had hesitancy, for whatever reason, I hope that they will really step up. We had a very successful donor con-

ference, for instance, in which countries made very large financial pledges to this effort.

So we are getting help. I think we can get more. Perhaps more countries will be active after the elections.

I would just note, on the matter of the region, there have been a couple of very important meetings of regional leaders—one that took place with the G8 and—with the EU the G8 and regional leaders there—to pledge support to Iraqi democracy. There was a recent meeting that King Abdullah of Jordan held, which was a meeting that was to actively ask people to participate in the elections.

I think the world is coming together behind the idea that we have to succeed in Iraq, and we have to succeed by building a more democratic Iraq. And we'll welcome all the help. But I didn't mean to leave the impression that we're not reaching out. We're consistently and constantly reaching out.

Senator FEINGOLD. Well, I thank you for that. My sense is that we've not reached out as often and as well as we could, but I wish you well in an aggressive approach to this. I don't think anything would mean more to the American people, and particularly the families of our soldiers, to know that we're doing everything that we can possibly do to get the help from other countries that we can.

Dr. Rice, I've reflected, a lot of times, on the memo that Secretary of Defense Rumsfeld issued in October 2003, which indicated that despite over two years having passed since September 11th, quote, "relatively little effort had gone into developing a long-range plan to win the fight against terrorism." He pointed out that there is no consensus within the national security community of the United States about how to even measure success in the fight.

Now, I think the Secretary of Defense was quite right, and I don't see any particular evidence that this problem has been remedied. In fact, we just listened to discussion here at this three-hour-some hearing today—there's been, actually, not a whole lot of discussion about the fight against terror, unless you believe that the Iraq War is the heart and soul of that, which I don't. And that troubles me. I think we risk losing focus, something I believe happened when we turned the lion's share of our attention to Iraq, devoting many years and billions of dollars, and possibly many American lives, to ineffective or self-defeating strategies.

Since the terrorist attacks of September 11, 2001, how have you and the Department been assessing the success and efficacy of policies designed to actually fight terrorist networks, to strengthen the multilateral coalition cooperating to combat these networks, and to prevent these networks from gaining new support and new recruits? And how do you, sort of, measure that success? Do you think the metrics and assessments that we're now using in the fight against terror are sufficient?

I want to reiterate, I'm talking here about, not the broader strategy that the President has articulated, but the specific issue of terrorist networks and where they actually exist.

Dr. RICE. Well, Senator, there are a number of important elements in the fight on terror, and I'll come back to—because I do think there is a broader context here that has to be understood. But, first of all, when you look at the organization that did 9/11,

al Qaeda and Osama bin Laden's organization, I think that you would see that we have had considerable success in bringing down the "field generals" of that organization, people like Khalid Sheik Mohammed and Abu Zubaydah and others. It is true, I'm certain, that they worked to replace those people, but they lose a lot of skill and experience in these field generals in—who had trained in Afghanistan together and had worked to produce September 11th. There's a lot of evidence that we've really hurt the organization in that way.

Secondly, in terms of their financing, I think we've made a great deal of progress, not just in the United States in tracking and dealing with terrorist financing, but around the world. You know, we didn't understand, really, the structure of terrorist financing very well. We didn't understand the role of non-governmental organizations that sounded like they were for good purposes but were, in fact, carrying out or funding terrorist activities. Others didn't understand that, in the Muslim world, like the Saudis. And we have made, I think, great strides in doing that.

We've made strides in denying them territory. You know, one of the ways that you fight a war is, you deny the other side territory. And when you look at what has happened to them, their world has gotten smaller. Afghanistan is not a hospitable environment now for terrorists. It used to be the home base for al Qaeda, with its training camps and its access to Afghanistan's benefits of being a state. They can no longer count on Pakistan, which had such strong ties to the Taliban that it was not really an aggressive actor against al Qaeda. They can no longer count on not being pursued up in the northwest frontier. The federally administered tribal areas that hadn't been governed by Pakistan for—hadn't been ever governed by Pakistan—they can't count on that territory. So we are denying them territory.

Senator FEINGOLD. Dr. Rice, I don't share the view that they've lost territory, actually. I happen to have supported the invasion of Afghanistan, and understand absolutely why we had to do that. But I've done a fair amount of work in East Africa and Northern Africa. We aren't denying terrorist elements those territories. When it comes to Somalia or Algeria or the activities that have occurred in Kenya—our focus on Iraq has been so single-minded—and, in fact, I was told by some of our own officials in that region, this past week, that a lot of things have gone waiting because of the demands of the Iraq invasion, in terms of dealing with this issue in North Africa and in East Africa. I know there are efforts going on, and I encourage those efforts, and I support them. But in terms of the balance? I think the balance has not been correct.

Dr. RICE. Well, Senator, in East Africa, we have a very effective set of partnership in counterterrorism strategy with, for instance, Kenya. Somalia is a particular problem, a unique problem, given that it's ungoverned, in effect, and the problem there is to try and bring about some kind of stable government, in the long run. But, in the meantime, we have worked with Somalia's neighbors to try and increase their capacity to deal with counterterrorism—

Senator FEINGOLD. Dr. Rice, I see my time's up, but we have no policy in Somalia. Our government has no policy in Somalia, and

we simply must reverse that if we're going to get serious about terrorism.

Dr. RICE [continuing]. —But, Senator, our intention in Somalia is to try to work with the EGAD process there to bring about a government. It has been extremely difficult. In the meantime, we've tried to contain the terrorist threat in Somalia by working with Kenya and with others in East Africa.

But I will tell you, Senator—I'd just like to make one final point—I do sit every day and look at the terrorist-threat reporting that's coming in. I look, every day, at the efforts that disrupt terrorism around the world. And I can tell you that the reports come from every—practically every service in the world, because our liaison relationships are so much more developed now, that when you have a situation like we faced back in December of last year, where we thought there might be an imminent threat to the United States, that we are able to mobilize law enforcement around the world, that you do get major take-downs of terrorists in places like Pakistan, which had been a central place for them to operate. We are making a lot of progress in this, but I—I know that there are differences on the question of what the ultimate antidote to terror is, and it is our view, and the President's view, that the ultimate antidote is to deal with the source of that terror, and that really is, ultimately, the freedom deficit, and that in order to do that, you've got to have a different kind of Middle East. And that's why we do see Iraq as being a part of that war on terrorism.

Senator FEINGOLD. Just one last comment. I certainly—the freedom deficit is a legitimate way to look at this, but I think the reality of failed states and lawless areas is just as important, in terms of the terrorist threat, and needs to be considered in that regard.

Thank you, Mr. Chairman.

Dr. RICE. Thank you.

The CHAIRMAN. Thank you very much, Senator Feingold.

Senator Voinovich?

Senator VOINOVICH. Thank you, Mr. Chairman.

First of all, I'd like to publicly thank Secretary Powell and Secretary Armitage—and their team—for the outstanding job that they've done for this country during the last four years.

I'd like to thank you, also, for being willing to come before us and to seek confirmation as Secretary of State of the United States of America.

I couldn't help but think, as I have heard my colleagues ask questions here today, about the enormous responsibilities that you're taking on, in terms of the world. There's no country in the world where a foreign minister is being asked questions about the whole world. And, today, you're being asked questions about the whole world and, what you are going to do.

And I'd like to share with my colleagues that one of the things that we all ought to be concerned about is whether or not the new Secretary of State is going to have the budget and the human capital that she is going to need to get the job done. Are we going to prioritize, in terms of this nation, the money necessary, so that many of the questions that have been asked here at this table about what you are going to do in parts of the world can actually

be done? And, at the same time, maybe we need to look at our own tax policy and give consideration to what Senator Sarbanes has been talking about, the trade deficit that's looming, and the account deficit.

And I am very happy to hear that Bob Zoellick is interested in coming over to the State Department because Bob's got tremendous background in the area of trade, which I think is essential to almost everything that you'll be doing.

I was glad, also, in your testimony you said that, "More than ever, America's diplomats will need to be active in spreading democracy, fighting terror, reducing poverty, and doing our part to protect the American homeland. I will personally work to ensure that America's diplomats have the tools they need to do their jobs, from training to budgets to monitoring embassy security.

We expect you to come here before this committee and tell us what you think you need to get the job done. And I think it's your job to advocate to the administration about what it is that you need to get the job done. We've got to be real.

I have dealt with a lot of the major issues that are on everyone's mind, but I think you know I have a particular interest in Southeast Europe, where I've spent probably more time than any Member of the Foreign Relations Committee. And we've made some progress there. We've gotten rid of Milosevic, we've gotten rid of Tudjman. Stipe Mesic just got reelected to serve as President of Croatia. Slovenia has joined NATO and the EU. There's some real progress being made.

But I am very concerned about what's going on in Serbia and Montenegro today. I'm also very concerned about what's happening in Kosovo, because I really believe that unless things are stabilized in Serbia and Montenegro, and unless we stabilize things in Kosovo, we could very well have another crisis on our hands this year, particularly because we're discussing the final status of Kosovo and what's going to be happening there.

I'd like to say that Under Secretary of State Marc Grossman has done a good job, but I'd like to know, where is this on your priority list? Are you familiar with problems in Southeast Europe? We've got our NATO forces in Kosovo, and they haven't got the job done. You'll recall, on the 17th of March last year, ethnic violence resulted in 4,000 refugees, 900 homes burned, and 30 churches destroyed. There are some real problems in that part of the world. We've invested a lot of money. I'd like to know, what do you think you're going to do about that?

Dr. RICE. Yes. I think it is a high priority, Senator, because it would help complete the European construction, if you think of it that way, that, in effect, until the Balkans have settled, it's going to be hard to think of Europe as truly whole and free. And so, we need to resolve the remaining Balkans issues.

And on Bosnia and Herzegovina, we've made a lot of progress. We've been able to end the S4 mission there and to have the EU take that mission over. But, you're right, in Kosovo, in Serbia Montenegro, we have a thorny set of problems.

One of the issues in Kosovo has been to try to get some energy into UNMIK. And I think we've got now, in the leadership there, strong people who are looking to try to improve the coordination on

economic and political affairs there. We definitely need the Serbs to continue their democratic process. I think we were all somewhat heartened about the election there, of Mr. Tadic. And I hope that they will take the opportunity that that provides to make progress on the further democratization of Serbia. And, of course, we do need their cooperation in the international tribunal for Yugoslavia, and we continue to press that case.

Ultimately, on Kosovo, as we've had this standards-before-status approach, we recognize that the standards are going to be important to the future of that region. Meeting those standards is going to be important to the future of that region. And I notice that Mr. Jessen Peterson has put a lot of emphasis on those standards that are about minority rights and the need to deal with the Serbian minority there so that we can move on, then, to discussions in the review conference that's coming up—

Senator VOINOVICH. I'd just like to say that I hope that we really give it the priority it needs.

Dr. RICE. Yes.

Senator VOINOVICH. Because last year, when Secretary Powell was here, I said to him, "I don't think we're doing the job we're supposed to be doing." He said, "No, I think things are fine." And then we had the blowup there.

Dr. RICE. Oh.

Senator VOINOVICH. But I'm just telling you, we have a situation, and now you've got the new prime minister of Kosovo, who may go to The Hague. Solana and our people have encouraged the Kosovars not to put that person in, and he's still there. So you've got a real problem there that needs to be taken care of, in addition to getting the other countries to give up their national caveats, in terms of what they can do. Because we had the burnings of homes there, and some NATO forces just watched the homes and monasteries burn down and said, "We can't do anything about it, because our orders are—we only protect people, not property."

Dr. RICE. I take the point, Senator.

Senator VOINOVICH. The other issue that I'm very interested in, and where we've made some great progress, is the issue of global anti-Semitism. And, as you know, we passed legislation, which the President signed into law. I think the report on global anti-Semitism that came out of the State Department did an outstanding job of portraying the situation, which is a crisis all over the world, particularly in the OSCE area.

And I would encourage you to give the same kind of commitment to this issue that Secretary Powell has made. He was in Berlin. And one of the concerns I have—and I'd be interested if you're familiar with it—is the budget of the OSCE, and whether or not the OSCE is going to provide the money necessary to ODIHR, which is the Office of Democratic Institutions and Human Rights, to really monitor this anti-Semitism issue. They've agreed to do it. But, as you know, so often people agree to do things, and then the money is not there to get the job done.

And I am not sure whether anybody has talked to you about the fact that they're going to have another conference in Cordoba, Spain, in June. I would recommend that you be there, because I think that, without the presence of the Secretary of State of the

United States, it doesn't get the kind of clout that we need for that issue to be dealt with.

Dr. RICE. I appreciate it, Senator. I am aware of the conference. It'll be a very important conference.

I will look into the budget issue. I was not aware of the budget issue, but I will look into that—

Senator VOINOVICH. Well, it's my understanding that the Soviet Union—or Russia—

Dr. RICE. Russia.

Senator VOINOVICH [continuing]. —is dragging its feet and slowing things down right now.

Dr. RICE. Right. And I think, at some point, have said they might not contribute. I understand that.

But this is an issue that I think gets everybody's attention when you have something pending, like the conference. We'll put a focus on it, we'll put an emphasis on it the way that we did in the past. I think it was a great thing. Actually, everyone who was there, including the countries of the OSCE, thought it was a great thing, and I'm glad we're having a second one.

Senator VOINOVICH. Well, as I say, it's a high priority, the money.

As you know, I also, feel that our best offense against terrorism is intelligence, diplomacy, and something that Robert Burns once spoke to, and that is, "Oh, that some great power would give me the wisdom to see myself as other people see me."

I was recently in England and parts of Southeast Europe prior to attending the NATO Parliamentary Assembly meeting in Venice. And I was just shocked at what I got back from our friends about how badly we're thought of today in that part of the world. And I just wonder, what are you going to do to try and change that? I think what we're doing to help following the tsunami right now is wonderful. But we have got to show people that we love them, that we are for democracy, that we want them to enjoy the same thing, that we haven't any hidden motives. What are you planning on doing in that area?

Dr. RICE. Senator, first of all, I do agree that the tsunami was a wonderful opportunity to show, not just the U.S. Government, but the heart of the American people. And I think it has paid great dividends for us.

Sometimes what happens is that we've had to ask people to do very difficult things, and we've had policies that people don't like. I think, in some corners, there are people who have been unhappy with the way that we've dealt with the Middle East, with the strong support for Israel, with our strong belief that terrorism has got to stop there. But we somehow have to get the message out that this is also the first President to call, as a matter of policy, for a Palestinian state. And somehow we're not getting that message out, as well.

What I plan to do is that, I'm going to put a major emphasis on public diplomacy, in all of its forms. That means, in getting our message out. And public diplomacy really is the State Department's core—a State Department responsibility. The State Department has to take on this challenge. Because public diplomacy isn't done here in Washington; public diplomacy is done in London, or done

in Oman, or done in Riyadh. And so, the arms and legs of the public-diplomacy effort are our embassies out there and our ambassadors and what they do on a daily basis. And so, I think we have to have a new renewed effort on that piece of it, getting our message out.

We also have to have a new renewed effort on getting our people back and forth, because people, when they come to the United States and see who we are and can get past some of the filter of, perhaps, some of the sides of America that are not well liked or respected, I think, do come away with a different view of us. And so, I will have a strong emphasis on getting our message out, on getting the truth to people, on diminishing the—on doing something to mitigate against the propaganda that's out there against us, but also on going to our long-time partners and friends and saying, "We have a common purpose here, a great cause ahead of us." And the Transatlantic Alliances—you know, sometimes it's a little bit like whatever it was that Mark Twain said about Wagner's music; I think he said, "It's better than it sounds." Well, in fact, our Transatlantic Alliances are really better than people give us credit for. We're cooperating in a lot of places, we're working hard together in a lot of places, we've had a lot of successes. But we can do more, in this period of tremendous opportunity, to unify the great democracies, the great alliances for a push to spread freedom and liberty. I think it's an agenda that is inspiring, and I think we've done a lot already, but there is much more that we can do.

Senator VOINOVICH. Thank you.

The CHAIRMAN. Thank you very much, Senator Voinovich.

Senator Boxer?

Senator BOXER. Thank you very much, Mr. Chairman. Thank you, Dr. Rice, for agreeing to stay as long as it takes, because some of us do have a lot of questions.

And, Senator Lugar, you are a very fair Chairman. And I wanted to say to the new Members, also, welcome, and you'll enjoy this committee because we have such a great Chairman and such a terrific Ranking Member, and we really do a lot of things in a bipartisan way, unlike other committees. And I think you're going to enjoy your time here.

Dr. Rice, before I get to my formal remarks, you, no doubt, will be confirmed. That's, at least, what we think. And if you're going to become the voice of diplomacy, this is just a helpful point. When Senator Voinovich mentioned the issue of tsunami relief, you said—your first words were, "The tsunami was a wonderful opportunity for us." Now, the tsunami was one of the worst tragedies of our lifetime. One of the worst. And it's going to have a ten-year impact on rebuilding that area. I was very disappointed in your statement. I think you blew the opportunity. You mention it. It's part of one sentence. And I would hope to work with you on this, because children are suffering, we're worried they're going to get in the sex trade. This thing is a disaster, a true natural disaster and a human disaster of great proportions, and I hope that the State Department will take a huge lead, under your leadership, in helping those folks in the long range.

Mr. Chairman, again I thank you.

Dr. Rice, I was glad you mentioned Martin Luther King. It was very appropriate, given everything. And he also said, Martin Luther King, quote, "Our lives begin to end the day we become silent about the things that matter."

And one of the things that matters most to my people in California and the people of America is this war in Iraq. Now, it took you to page three of your testimony to mention the word "Iraq." You said very little, really, about it, and, only in this questioning, have we been able to get into some areas.

Perhaps you agree with President Bush, who said, "All that's been resolved." I'm quoting today's Post, "Bush said, in an interview last week with the *Washington Post*, that the '04 election was a moment of accountability for the decisions he made in Iraq. But today's *Washington Post/ABC* poll found that 58 percent disapprove of his handling of the situation, to 40 percent who approve, and only 44 percent said the war was worth fighting."

So, in your statement, it takes you to page three to mention the word "Iraq." Then you mention it in the context of elections, which is fine, but you never even mention, indirectly, the 1366 American troops that have died or the 10,372 who have been wounded, many mentally. There's a report that I read over the weekend that maybe a third will come home and need help because of what they saw, it's been so traumatic to them. And 25 percent of those dead are from my home state. And this from a war that was based on what everyone now says, including your own administration, were falsehoods about WMDs, weapons of mass destruction. And I've had tens of thousands of people from all over the country say that they disagree—although they respect the President, they disagree that this administration and the people in it shouldn't be held accountable.

I don't know if you saw the movie "The Fog of War." War is a nightmare. You know that. Colin Powell, I think, was the most eloquent I've heard on it, because he's seen it, himself. He's been there and done it. And I don't want to have you in a circumstance where you're writing something, years later, about the fog of war. And I'm fearful, if we don't see some changes here, we're going to have trouble. And I think the way we should start is by trying to set the record straight on some of the things you said going into this war.

Now, since 9/11, we've been engaged in a just fight against terror. And I, like Senator Feingold and everyone here who was in the Senate at the time, voted to go after Osama bin Laden, and to go after the Taliban, and to defeat al Qaeda. And you say they have less territory? That's not true. Your own documents show that al Qaeda has expanded from 45 countries in '01 to more than 60 countries today.

Well, with you in the lead role, Dr. Rice, we went into Iraq. I want to read you a paragraph that best expresses my views—and ask my staff if they would hold this up—and, I believe, the views of millions of Californians and Americans. It was written by one of the world's experts on terrorism, Peter Bergen, five months ago. He wrote, "What we've done in Iraq is what bin Laden could not have hoped for in his wildest dreams. We invaded an oil-rich Muslim nation in the heart of the Middle East, the very type of imperial ad-

venture bin Laden has long predicted was the U.S.'s long-term goal in the region, we deposed the secular socialist, Saddam, whom bin Laden has long despised, ignited Sunni and Shia fundamentalist fervor in Iraq, and have now provoked a defensive jihad that has galvanized jihad-minded Muslims around the world. It's hard to imagine a set of policies better designed to sabotage the war on terror."

This conclusion was reiterated last Thursday by the National Intelligence Council, the CIA Director's think-tank, which released a report saying that, "Iraq has replaced Afghanistan as the training ground for the next generation of professionalized terrorists." That's your own administration's CIA.

NIC Chairman Robert Hutchings said Iraq is, quote, "a magnet for international terrorist activity." And this was not the case in '01. And I have great proof of it, including a State Department document that lists every country—could you hold that up?—in which al Qaeda operated prior to 9/11. And you can see the countries. No mention of Iraq. And this booklet was signed off on by the President of the United States, George W. Bush—was put out by George Bush's State Department, and he signed it. There was no al Qaeda activity there. No cells.

Now, the war was sold to the American people, as Chief of Staff to President Bush, Andy Card, said, "like a new product." Those are his words. "Remember," he said, "you don't roll out a new product in the summer." Now, you rolled out the idea, and then you had to convince the people as you made your case with the President. And I, personally, believe—this is my personal view—that your loyalty to the mission you were given, to sell this war, overwhelmed your respect for the truth. And I don't say it lightly. And I'm going to go into the documents that show your statements and the facts at the time.

Now, I don't want the families of those 1366 troops that were killed, or the 10,372 that were wounded, to believe for a minute that their lives and their bodies were given in vain, because when your Commander in Chief asks you to sacrifice yourself for your country, it is the most noble thing you can do to answer that call. I am giving their families, as we all are here, all the support they want and need, but I also will not shrink from questioning a war that was not built on the truth.

Now, perhaps the most well-known statement you've made was the one about Saddam Hussein launching a nuclear weapon on America, with the image of, quote—quoting you—"a mushroom cloud." That image had to frighten every American into believing that Saddam Hussein was on the verge of annihilating them if he was not stopped. And I will be placing into the record a number of such statements you made which have not been consistent with the facts.

As the nominee for Secretary of State, you must answer to the American people, and you are doing that now through this confirmation process. And I continue to stand in awe of our Founders, who understood that, ultimately, those of us in the highest positions of our government must be held accountable to the people we serve.

So I want to show you some statements that you made regarding the nuclear threat and the ability of Saddam to attack us. Now, on July 30th, 2003, you were asked by PBS *News Hour's* Gwen Ifill if you continued to stand by the claims you made about Saddam's nuclear program in the days and months leading up the war. In what appears to be an effort to downplay the nuclear-weapons scare tactics you used before the war, your answer was, and I quote, "It was a case that said he was trying to reconstitute. He's trying to acquire nuclear weapons. Nobody ever said that it was going to be the next year." So that's what you said to the American people on television. "Nobody ever said it was going to be the next year."

Well, that wasn't true, because nine months before you said this to the American people, what had George Bush said? President Bush, at his speech at the Cincinnati Museum Center, "If the Iraqi regime is able to produce, buy, or steal an amount of highly enriched uranium a little larger than a single softball, it could have a nuclear weapon in less than a year."

So the President tells the people there could be a weapon. Nine months later, you said, no one ever said he could have a weapon in a year, when, in fact, the President said it.

And here's the real kicker. On October 10th, '04, on FOX News Sunday with Chris Wallace, three months ago, you were asked about CIA Director Tenet's remark that, prior to the war, he had, quote, "made it clear to the White House that he thought the nuclear-weapons program was much weaker than the program to develop other WMDs."

Your response was this, "The intelligence assessment was that he was reconstituting his nuclear program, that, left unchecked, he would have a nuclear weapon by the end of the year."

So here you are contradicting—first contradicting the President, and then contradicting yourself. So it's hard to even ask you a question about this, because you are on the record, basically, saying—taking two sides of an issue. And this does not serve the American people. If it served your purpose to downplay the threat of nuclear weapons, you said, "No one said he's going to have it in a year." But then later, when you thought perhaps you were on more solid ground with the American people, because, at the time, the war was probably popular, or more popular, you say, "We thought he was going to have a weapon within a year." And this is—the question is—this is a pattern here of what I see from you—on this issue, on the issue of the aluminum tubes, on the issue of whether al Qaeda was actually involved in Iraq, which you have said many times. And in my rounds—I don't have any questions on this round, because I'm just laying this out—I do have questions on further rounds about similar contradictions. It's very troubling.

You know, if you were rolling out a new product, like a can opener, who would care about what we said? But this product is a war, and people are dead and dying, and people are now saying they're not going to go back because of what they experienced there. And it's very serious. And as much as I want to look ahead—and we will work together on a myriad of issues—it's hard for me to let go of this war, because people are still dying. And you have not laid out an exit strategy, you have not set up a timetable, and you don't

seem to be willing to, (a) admit a mistake, or give any indication of what you're going to do to forcefully involve others. As a matter of fact, you've said more misstatements, that the territory of the terrorists has been shrinking, when your own administration says it's now expanded to 60 countries.

So I am deeply troubled.

Thank you.

Dr. RICE. Senator, may I respond?

The CHAIRMAN. Yes. Let me just say that I appreciate the importance of Senator Boxer's statement. That's why we allowed the statement to continue for several more minutes—

Senator BOXER. I'm sorry.

The CHAIRMAN [continuing]. —beyond time.

Senator BOXER. I'm sorry. I lost track of the time.

The CHAIRMAN. Clearly, you ought to have the right to respond. And then, at that point, we're going to have a recess. But will you please give your response?

Dr. RICE. Yes.

Senator, I am more than aware of the stakes that we face in Iraq. And I was more than aware of the stakes of going to war in Iraq. I mourn and honor—I mourn the dead and honor their service, because we have asked American men and women in uniform to do the hardest thing, which is to go and defend freedom and to give others an opportunity to build a free society which will make us safer.

Senator, I have to say that I have never, ever lost respect for the truth in the service of anything. It is not my nature. It is not my character. And I would hope that we can have this conversation and discuss what happened before, and what went on before, and what I said, without impugning my credibility or my integrity.

The fact is that we did face a very difficult intelligence challenge in trying to understand what Saddam Hussein had, in terms of weapons of mass destruction. We knew something about him. We knew that he had—we had gone to war with him twice in the past, in 1991 and in 1998. We knew that he continued to shoot at American aircraft in the no-fly zone as we tried to enforce the resolutions of U.N. Security Council—that the U.N. Security Council had passed. We knew that he continued to threaten his neighbors. We knew that he was an implacable enemy of the United States who did cavort with terrorists. We knew that he was the world's most dangerous man in the world's most dangerous region. And we knew that, in terms of weapons of mass destruction, he had sought them before, tried to build them before, that he had an undetected biological weapons program that we didn't learn of until 1995, that he was closer to a nuclear weapon in 1991 than anybody thought. And we knew, most importantly, that he had used weapons of mass destruction.

That was the context that, frankly, made us awfully suspicious when he refused to account for his weapons-of-mass-destruction programs, despite repeated Security Council resolutions and despite the fact that he was given one last chance to comply with Resolution 1441.

Now, there were lots of data points about his weapons-of-mass-destruction programs. Some were right, and some were not. But

what was right was that there was an unbreakable link between Saddam Hussein and weapons of mass destruction. That is something that Charlie Duelfer, in his report of the Iraq Survey Group, has made very clear, that Saddam Hussein intended to continue his weapons-of-mass-destruction activities, that he had laboratories that were run by his security services—I could go on and on.

But, Senator Boxer, we went to war, not because of aluminum tubes, we went to war because this was the threat of weapons of mass destruction in the hands of a man against whom we had gone to war before, who threatened his neighbors, who threatened our interests, who was the world's—one of the world's most brutal dictators, and it was high time to get rid of him. And I'm glad that we're rid of him.

Now, as to the statement about territory and the terrorist groups, I was referring to the fact that the al Qaeda organization of Osama bin Laden, which once trained openly in Afghanistan, which once ran with impunity in places like Pakistan, can no longer count on hospitable territory from which to carry out their activities. In the places where they are, they are being sought and run down and arrested and pursued in ways that they never were before. So we can have a semantic discussion about what it means to take or lose territory, but I don't think it's a matter of misstatement to say that the loss of Afghanistan, the loss of the northwest frontier of Pakistan, the loss of running with impunity in places like Saudi Arabia, the fact that now intelligence networks and law enforcement networks pursue them worldwide, means that they have lost territory where they can operate with impunity.

Senator BOXER. Mr. Chairman, I'm going to take 30 seconds, with your permission.

First of all, Charles Duelfer said, and I quote—here it is—I ask unanimous consent to place in the record Charlie Duelfer's report—

The CHAIRMAN. It will be placed in the record.

[The information to which Senator Boxer referred appears in Appendix II to this hearing transcript.]

Senator BOXER [continuing]. —in which he says, “Although Saddam clearly assigned a high value to the nuclear progress and talent that had been developed up to '91, the program ended, and the intellectual capital decayed in the succeeding years.”

Here's the point. You and I could sit here and go back and forth and be—present our arguments. And maybe somebody watching a debate would pick one or the other, depending on their own views. But I'm not interested in that. I'm interested in the facts. So when I ask you these questions, I'm going to show you your words, not my words. And, if I might say, again you said, you're aware of the stakes in Iraq. We sent our beautiful people—and thank you, thank you so much for your comments about them—to defend freedom.

You sent them in there because of weapons of mass destruction. Later, the mission changed, when there were none. I have your quotes on it. I have the President's quotes on it. And everybody admits it but you, that that was the reason for the war. And then, once we're in there, now it moves to a different mission—which is great. We all want to give democracy and freedom everywhere we

can possibly do it. But let's not rewrite history. It's too soon to do that.

Dr. RICE. Senator Boxer, I would refer you to the President's speech before the American Enterprise Institute, in February, prior to the war, in which he talked about the fact that, yes, there was the threat of weapons of mass destruction, but he also talked to the strategic threat that Saddam Hussein was to the region.

Saddam Hussein was a threat, yes, because he was trying to acquire weapons of mass destruction. And, yes, we thought that he was—that he had stockpiles, which he did not have. We had problems with the intelligence. We were all, as a collective polity of the United States, trying to deal with ways to get better intelligence.

But it wasn't just weapons of mass destruction. He was also a place—his territory was a place where terrorists were welcomed, where he paid suicide bombers to bomb Israel, where he had used SCUDs against Israel in the past, and so we knew what his intentions were in the region, where he had attacked his neighbors before, and, in fact, tried to annex Kuwait, where we had gone to war against him twice in the past. It was the total picture, Senator, not just weapons of mass destruction, that caused us to decide that, post-September 11th, it was finally time to deal with—

Senator BOXER. Well, you should—

Dr. RICE [continuing]. —Saddam Hussein.

Senator BOXER [continuing]. —read what we voted on when we voted to support the war, which I did not, but most of my colleagues did. It was WMD, period. That was the reason and the causation for that, you know, particular vote.

But, again, I just feel you quote President Bush when it suits you, but you contradicted him when he said, yes, Saddam could have a nuclear weapon in less than a year. You go on television nine months later and said, "Nobody ever said it was going to be"—

Dr. RICE. Senator, that was just a question of pointing out to people that there was an uncertainty, that no one was saying that he would have to have a weapon within a year for it to be worth it to go to war.

Senator BOXER. Well, if you can't admit to this mistake, I hope—

Dr. RICE. Senator, we can—

Senator BOXER [continuing]. —that you'll—

Dr. RICE [continuing]. —we can have this discussion in any way that you would like, but I really hope that you will refrain from impugning my integrity.

Thank you very much.

Senator BOXER. I'm not. I'm just quoting what you said. You contradicted the President, and you contradicted yourself.

Dr. RICE. Senator, I'm happy to continue the discussion, but I really hope that you will not imply that I take the truth lightly.

The CHAIRMAN. Let me intervene at this point now. We've had four hours of good hearing. And we thank all Members for their constancy.

We're going to recess, and I'm going to suggest we come back at 2:30. Is that convenient for—

Dr. RICE. Perfect.

The CHAIRMAN [continuing]. —you, Dr. Rice?
Very well. We recess until 2:30.

[recess]

[The committee remained in recess until 2:35 p.m.]

The CHAIRMAN. The hearing is called to order again.

The Chair recognizes Senator Murkowski for a ten-minute round of questioning.

Senator MURKOWSKI. Thank you, Mr. Chairman.

It's a privilege and honor to be part of the committee, and I appreciate the warm welcome from you and the other committee Members.

Welcome to you, Dr. Rice. The opportunity to sit down and speak with you a couple of weeks ago was greatly welcomed, and it was a chance for me to speak to some of the issues that, as a new Member to this committee, were important to just, kind of, have that discussion and get on the table.

One of the issues that is really quite paramount in Alaskans' mind is the situation over in North Korea. Our proximity in that region is one that causes us to look very carefully at what is happening in North Korea, and what is happening particularly with the nuclear-weapons program over there.

I'm heartened to hear, from the media reports, that North Korea appears willing to restart the six-party talks. And, again, I think Alaskans are anxious to know that there will be success there.

Looking beyond the talks and further down the road, I'm curious to know your views on a future North Korea. We recognize that, for these past many years—about 60 years or so—under the reign of Kim Il Sung and Kim Jung Il, an entire generation of North Koreans, including their military leaders, have basically been brainwashed into believing that their military can defeat the armed forces of any country in this world. And this raises considerable concern, in the event of a regime change, about who has control over the North Korean military, and what actions that military, or an individual commander, might take.

So as the administration moves forward in these six-party talks, what steps will you take to develop the relationship with North Korea's future leadership?

Dr. RICE. Well, thank you very much, Senator Murkowski. I—we did have an opportunity to talk about a number of issues, and I recognize the importance of this issue to everyone, because, obviously, North Korea is a very dangerous power, and one that has been intent on seeking weapons of mass destruction, particularly nuclear weapons.

Let me start by just saying that it is important to repeat that North Korea should understand fully that we have a deterrent against any North Korean action, or attempts at action, because we have a very strong alliance with South Korea, a very technologically sophisticated alliance, that is getting more so with the changes that we are discussing with the South Koreans about how to realign military forces on the peninsula. And we do have, as you mentioned, a very active diplomacy now through the six-party talks, which brings all of the neighborhood together to say to the North Koreans, "You do not have a choice. If you intend to be a

part of the international system, you have got to give up your nuclear-weapons programs.” And that’s an important innovation, because it speaks, in a part, to the broader question of how we manage a problem like North Korea in the neighborhood. It is not something that the United States wants to have to do unilaterally. It’s something that we’re much better off doing with South Korea, with Japan, with Russia, and, most especially, with China, which is playing an important role in the six-party talks, and needs to play—it needs to continue to play an active role.

This is a very closed and opaque society that we’re dealing with when we’re dealing with North Korea. It is a sad thing that there probably is no more desperate population than the population of North Korea, in terms of starvation, in terms of repression. The United States has no problem with the people of North Korea. And, in fact, we have consistently been a large food-aid donor to North Korea because we do not want the people of North Korea to suffer.

It doesn’t have to be this way. There is another path. And we’ve made clear to the North Korean regime that the President of the United States has said, and that the United States has no intention to attack North Korea, to invade North Korea, that multilateral security assurances would be available to North Korea, to which the United States would be party, if North Korea is prepared to give up its nuclear-weapons program verifiably and irreversibly. So we will continue to work on that issue.

It is very hard, actually, to make contact with the Korean—North Korean people at all, but, to the degree that we can, through South Korean contacts, try to encourage the North Korean people that there might be a better future for them, I think that’s an important thing to do. But our goal now has to be to make the six-party mechanism work for dealing with the North Korean nuclear program, and then hopefully for dealing with the broader problem of managing this dangerous regime.

I hope that they will follow through, and that, indeed, they do intend to restart the six-party talks. We have an offer on the table that we put there at the last round of the six-party talks. It was an offer that I think all other parties thought moved the ball forward. We’ve heard nothing, really, from North Korea, and I hope that they will actually act, because we’ve found that their words are not always completely reliable.

Senator MURKOWSKI. We also had a chance to talk a little bit about the Arctic Council. This is probably not a question that you’re going to get from anybody else on this panel, so I will take the time to ask it. I know that my colleague here from Florida is not going to ask it, so I will.

But one of the things that I hoped to achieve, or to work on, during my time here on the Foreign Relations Committee is to raise my colleagues’, and the rest of the United States’, awareness of—and just really the knowledge of the Arctic regions. And there’s a lot of focus right now on what’s going on up north because of the climate change. We’re wondering whether or not this is a permanent event or whether it’s just part of a natural cycle. But we do know that it’s a reality. We do know that it’s—it will have an impact on our lands, particularly up north. And what we’re seeing is, there’s a potential for increased circumpolar maritime commercial

activity, which is going to impact our northernmost boundaries, as well as substantial new scientific exploration in the Arctic region.

Now, along with the Arctic nations, the U.S. is a member of the Arctic Council, which was formed to address the common problems of the many Arctic nations. And so far as I can tell, our role, the U.S. role, within this Council, has been underutilized in furthering our relationship with our Arctic neighbors.

So my question to you at this time is, what role do you see for international institutions, like the Arctic Council, in U.S. foreign policy? And how can we use our Arctic location to further this country's interests?

Dr. RICE. There's a very important point that I'd like to make about the broader question that you ask. And I do think that, on issues of this kind, we can work both internationally and regionally—in a sense, the most interested and affected countries.

I would like to spend some time talking with you about what more we might do in the Arctic Council. I know we've been supportive of the Arctic Council and members, but perhaps there is more that we can do.

It speaks—for instance, you mentioned the environmental—global environmental issues, like climate change. We have a lot to offer, in terms of the science and the technology, and we ought to be, and are trying to, develop relations with others who are interested in harnessing that science and that technology to deal with some of the environmental challenges that we have.

And so, I very much look forward to talking with you about what role we can play. There are some important countries that would probably share interests. For instance, the Russians would probably share interests, and this is another area for potential cooperation. And so, I look forward to having a chance to look at what more we can do.

Senator MURKOWSKI. I think it is an opportunity for us, and it's something that needs to be cultivated in order to work to our advantage. So I do look forward to that opportunity, with you.

Very general. This might be a softball to you, but how is the administration working to improve the role of women in the Middle East and elsewhere in the world?

Dr. RICE. Well, in fact, it may be one of the most important things that we do over the next few years. We've already tried to do a lot. I think there's no doubt that the Afghanistan situation, which was really one of the true horror houses for women—and I know that Senator Boxer and others were very involved in trying to promote the cause of women in Afghanistan. Well, we promoted the cause by the overthrow of the Taliban. It's a remarkable thing that the first person to vote in Afghanistan was a young woman. It's a remarkable thing that women can now see a doctor without a male relative's permission, that they can no longer be punished for letting one little hair show out from under the veil, that women are taking their rightful place in Afghan society. And I think it is in their documents, like their new constitution, that women are considered equal citizens.

That may seem like a small thing, but in a region of the world where women have been anything but equal citizens, to have that enshrined in the Afghan constitution—and it will be—it's in the

TAL, or the Transitional Administrative Law, for Iraq. These are important steps forward.

We've also been very outspoken about the need of every society to make sure that women's rights are protected. It is a part of the agenda in the broader Middle East initiative, where clearly countries are going to move at different speeds on this issue, but where you have to put on the agenda that you cannot function as a modern society if half your population is essentially kept out of the political process. And we are particularly interested in women's education, the education of girls, which, in some of these societies, stops when girls are 10 or 11 years old. Pressing the case for the education of girls is an important part of what we're doing. Helping to empower women politically through political activity and civil-society activity.

And we've done more than just in the Middle East, which is to be very active on, for instance, the Trafficking in Persons Initiative, which benefits women, because, very often, the people who are trafficked, particularly for sex crimes, are women. And the President went to the United Nations, put this on the agenda. We've gotten a resolution about it, and we are prosecuting people here and pressing countries to prosecute people on this very terrible crime.

Finally, I would just mention the HIV/AIDS initiative, with has a mother-to-child transmission element, as well as helping caregivers, who, many times, are women, to deal with the travails of caring for relatives with AIDS, preventing further infections, many of whom would be women. This is a broad agenda of helping women, and it is in our moral interest, of course, to do so, but it's also in the interest of these societies, economically and in terms of modernity, that women take a rightful place and are fully contributing to the prosperity of these societies.

Senator MURKOWSKI. Thank you. Appreciate that.

The CHAIRMAN. Thank you very much, Senator Murkowski.

Senator Nelson?

Senator NELSON. Thank you, Mr. Chairman, Dr. Rice.

Senators Dodd and Chafee and I just returned from visiting with four Latin American presidents in their respective countries, and we are certainly of one mind that we need to be more engaged in the region. When a leader, such as Chavez in Venezuela, starts lurching to the left, and yet we have a dependency there of some 13 to 15 percent of our daily consumption of oil coming from Venezuela, clearly one part of our foreign policy ought to be that we ought to start planning on weaning ourselves from that dependence, not even to speak of the global dependence that we now have on foreign oil. But here's one right in our neighborhood.

And Chavez has threatened, from time to time, that he was going to cut it off. Now, that's a hollow threat, because there are no refineries that—outside of the Gulf Coast, that can do it, although it would take them a year, maybe two, to build those kind of refineries, if, for example, they struck a deal in China, to take his oil. We, clearly, urge you that we need a Latin American policy that will get us engaged a lot more.

And then in the places where we see the presidents of those countries really trying to do something—and, in fact, having an effect—such as Toledo in Peru, such as Paraguay, such as Argen-

tina's beginning to have some economic uplift that—if America is more engaged, it's just going to—it's going to be some wind under their wings, and it's going to help stem that. If Chavez continues to go leftward, we should enable those other countries, who are more centrist, to corral him, or at least have a chance of doing that. So that's a little message that I bring you from the activities of the last week.

Now, elsewhere in the hemisphere—and you can appreciate this since I represent the state of Florida. Haiti is a disaster. And it's going to continue to be a disaster until we get engaged and do something seriously, along with particularly the other nations of the Western Hemisphere, financially and politically, to help them.

I've had a difference of opinion with the administration, and I think you did have a policy of regime change. And although Aristide was a bad guy, you know, it's kind of hard to say we support democracy in elections and then we go and push him out. But that's done.

Looking forward, we're getting close to the authorized support, now, under the U.N. peacekeeping force, of 6700 military and 1600 civilian police. Do you think that's an adequate number?

Dr. RICE. Well, I believe the number that has been determined, 6700 or so led by Brazil as a stabilization force now, after the initial stabilization was done by the United States and the French and the others, is judged to be adequate to the task. The question has really been about—more of, what can that force do? And I think the expansion of it, of a more aggressive stance by that force in going into areas that are particularly violent, and dealing with the violence and the militias in those areas, is probably really the question that we have to deal with.

I'm glad, Senator, you mentioned the police forces, because, in the long run, what really will help Haiti is that it needs a professional civilian police force that can be counted on to enforce law, not to break law. And we have, as you well know, dispatched civilian police trainers from the United States, and from other places, to try and engage in that activity. But I agree completely.

Unfortunately, Haiti seems to be a place where natural and man-made disasters have come together in a really terrible way for the Haitian people. They do have a new chance now. They have a transitional government that is trying to arrange elections in the fall. We need to support that process. And we have had a successful donor conference recently, with a billion-dollar commitment. The United States is about 230 million of that. And so—

Senator NELSON. The problem is, they never follow through.

Dr. RICE. Senator, I agree, we have to press very hard on people to follow through on the pledges that they make. That's a problem worldwide.

Senator NELSON. And this has been going on for 200 years of Haiti's history. Now, when the U.N. peacekeeping force comes up for reauthorizing, in the Security Council, what's going to be your posture about considering an expansion of that peacekeeping force? This is a country of seven-and-a-half million, and a lot of them are outside, in those areas that are now defoliated; thus, the mud, the slides after the storms, and so forth.

Dr. RICE. Senator, we've been focused, to now, on trying to stabilize the situation with the stabilization force that is there. The Brazilians have done a fine job of leading that. And I just might mention that this is the first time that a lot of those countries, most of whom are from the hemisphere—many of whom are from the hemisphere—have actually done peacekeeping in the Western Hemisphere. And so, this is a step forward, for the neighbors to embrace Haiti in the way that they have.

What more will be needed, I have to demur. I think we need to look at the situation. But, for now, I think we are in the right place, in terms of the peacekeeping forces. We have been concerned about what missions they were prepared to take on, and that is being resolved, and there is a more aggressive posture. And we really have to put a major effort into the civilian police development.

We also, as you—you are absolutely right, people pledge; they don't follow through. And we have money to put Haitians to work. We have money to help restart the Haitian economy. But we've got to——

Senator NELSON. Well, then I want to——

Dr. RICE [continuing]. ——follow through.

Senator NELSON [continuing]. ——I want to suggest something to you. And it's a bill that is sponsored by one of our Republican colleagues, Mike DeWine of Ohio, and it's called the HERO Act, which is an acronym, but what it does is, it allows textiles to come in, like we already have in the Caribbean Basin Initiative in other areas in the Caribbean, but it allows it for Haiti. And then they can come, duty free, into the U.S. It would foster an economic uplift by creating jobs. But we can't get the administration to support it. It's a Republican Senator's bill.

Dr. RICE. Senator, I think we believe, at this point, that the best course with Haiti is to work with them to take full advantage of the Caribbean Basin Initiative, to work with them on job creation through some of the programs that we have out of our economic support fund for Haiti. They will benefit, in a secondary way, from what happens in Central America with trade if CAFTA can be taken—can be passed. And so, at this point we think we have the right tools, we just have to make it work.

I understand fully the concerns about Haiti, both from a humanitarian point of view and also from a stability point of view. And we probably dodged a bullet, in the earlier days, with the ability to get Aristide out peacefully, because he had lost the ability to control that country, to govern authoritatively in that country.

But we have a lot of work ahead of us in Haiti. I'd be the first to admit it.

Senator NELSON. Madam Secretary-designate, you can make a difference. If you'll jump on that horse and ride it, and keep on it over the next four years of your tenure, it'll start to pay huge dividends. And nobody's done that. We go in, and we fix a problem, and then we turn around and we leave it, and so do the other nations. And then Haiti just goes back into chaos.

Let me shift to the other side of the globe, to Iran. What specific steps will you advocate to stop Iran's nuclear program? And I'm

talking about beyond the noise that we hear from Europe. This Senator doesn't think that's gonna cut it.

Dr. RICE. Well, Senator, we—this is a problem that we're trying to approach both multilaterally and through some bilateral pressure. And we were the first to really put the Iranian nuclear program on the table when the President did his speech, his State of the Union speech, and identified the Iranian nuclear program. I can remember, back in the early days, Senator, people didn't take nearly as seriously that Iran was actually trying to, under cover of its nonproliferation treaty access to civilian nuclear energy, to build a nuclear weapons program. I think people now, because of Iranian behavior, are very skeptical and suspicious of what the Iranians are doing.

Senator NELSON. Are you ready for sanctions?

Dr. RICE. Well, we already have an awful lot of sanctions on Iran unilaterally. There is really not terribly much more we can do. But I do—

Senator NELSON. How about getting Europe to go along?

Dr. RICE. Well, Senator, I would take it the first step, that if the Iranians do not show that they're going to live up to their international obligations, that we refer them to the Security Council. That has been our policy. That—when you're in violation of your obligations under the NPT, that you get referred to the Security Council. And the IAEA has been, I think, documenting that the Iranians have not been serious about their obligations. So, at some point, that may be exactly where we need to go.

We are making some progress in unifying people's view of what the Iranians are doing, and putting pressure on the Iranians. We do work with the EU 3 to try and help them formulate a strategy that would really hold Iran accountable, not just take Iran's word for it. And we've made some progress in getting people who engage in bilateral assistance with Iran to be more cognizant of some of the proliferation risk. For instance, the Russians, who have a civilian nuclear power program with Iran in their reactor at Bushehr, now say to the Iranians that, "You will have to return the fuel." In other words, "Close the fuel cycle and sign the additional protocol." Those are all positive steps. We need to continue to take those.

But, Senator, the spirit of your question is that, at some point, Iran has to be held accountable for its unwillingness to live up to its international obligations, and I could not agree more.

Senator NELSON. Hopefully, sooner, than later.

Dr. RICE. I could not agree more.

The CHAIRMAN. Thank you very much, Senator Nelson.

Senator Alexander?

Senator ALEXANDER. Thank you, Mr. Chairman.

Dr. Rice, welcome, congratulations, and thank you for being here today.

I apologize to you, I missed part of the hearing because I was at another hearing for Mike Leavitt, who's been nominated to Department of HHS. But it wasn't a total loss, because we were talking about early-childhood education, and I was able to remind your new colleague in the Cabinet that you began piano lessons at age

three, and that that is a good sign for early-childhood education, to have that kind of example here.

I have three questions to ask. They're all subjects that have come up before in one way or the other. And I thought I'd ask 'em all at once and then give you a chance to comment on them, because they're interrelated. One is about Iraq, one is looking beyond Iraq, and one is to return to the subject that you said almost every Senator had mentioned to you, Senator Coleman has done some work on, especially on this committee, and that has to do with visas of foreign students and the effect on our higher-education system. I want to think about that in a little different way.

Question number one, about Iraq. Some colleagues have suggested and asked you about an exit strategy. I don't think we need an exit strategy. I think we need a success strategy. But I would suggest—and my question is this—that is—after the election, that we might take a more realistic, and perhaps a different, view of how we define success. And so, my question is, how many American lives? How long are we willing to take? How much money are we going to spend? What is the definition of “success” in Iraq? It's one thing to give people their freedom, it's quite another to help build a stable pluralistic democratic society. What are the limits of that? That's the first question.

The second question. This is beyond Iraq. I know your conversations with the President are between the two of you, but perhaps you can talk about this in a general way. You're the Secretary of State, President Bush is President, you're sitting around in a National Security Council meeting in a year or so, and someone suggests that we have a circumstance in a Middle-Eastern country or some other country where we need change a regime, we need to engage in nation-building again. What are—what kind of advice would you give the President about what lessons we've learned from Iraq and the other examples of nation-building that he ought to consider before he commits us again to one more nation-building?

I've heard strong words today about Iraq. I wasn't here, but I would have voted to give the President authority to go to Iraq. I think he made a reasonable decision to go. The war was a stunning success. And, in my view, they've done a series of miscalculations since then. You, yourself, have used words like “adjustments.” I think it's no—it's a sign of strength for us when we—when we look back, we see something that we could do better, that we recognize that, learn from that, and go ahead.

So I'm asking, if we were to consider nation-building again—and we've done it many times since World War II—what are the lessons for the President? And my own view of that is that there is more than one way to implement the City on the Hill moral mission that we have in this country to spread freedom around the world. One way is to change a regime and try to make a country more like ours. Another way might be to celebrate our own values and strengthen ourselves, and be a good example, and, by doing that, to spread freedom.

You, yourself, mentioned—and this leads me to my third point—the example of foreign students here. All of us, when we travel, we see ministers, we see citizens, business people, who have been in

this country, and who have carried our message, our values, our principles back more effectively than almost anything we can think of. In fact, I think perhaps our most effective method of foreign policy has been our programs that have admitted so many students from around the world to the United States.

But there is another aspect of that, as well. The number of foreign students attending our major universities, especially the graduate programs in our major research universities, such as the one where you were provost, Stanford, has dropped dramatically. Applications to American graduate schools declined 28 percent last year. Those from China fell 45 percent. From India, 28 percent.

There are several reasons for that. One is that India, China, Germany, Great Britain all are seeing a brain-drain to the United States. We talk a lot about outsourcing of jobs; we have an insourcing of brains that that drop of foreign students, of brain power, hurts our ability to keep our technological edge. And it is of great concern to me over the next ten years.

So I'm not just looking at spreading our values around the world; I'm looking very much at our own self interest in another way, which is, what can we do to make certain that we pay more attention, for example, to making sure that students who are here, or researchers, who already cleared the visa process don't have to go home for a month to reapply for the same kind of visa.

So my questions, related, are, one, what is our success strategy for Iraq? Number two, based on the lessons for Iraq, what advice would you give our President about some things he might want to consider, in terms of the amount of money, the amount of time, the amount of troops we might have to expend or sacrifice in any future nation-building exercise? What have we learned in Iraq? And, number three, what can we do to help you, in your new role, to make it easier for foreign students to come here, both so we can spread our values around the world and so we can take advantage of their brain power to create jobs for us in the United States?

Dr. RICE. Thank you, Senator.

Let me take the first of this, and I'll try to segue, as you did so well, into the second.

I do think that, in Iraq, you were right, what we need is a success strategy, not an exit strategy. And I—that's a very good way to talk about it. The success here is going to be that Iraqis are in charge of their own future, and recognize that it is really up to them to make that future one that is inclusive of all of the divisions that have bedeviled Iraq, that we have given them the capability to defend themselves—principally from internal insurgency, but also to give them the ability that their neighbors will understand that Iraq is a stable place that is a unified Iraq—one of the obligations, by the way, that we undertook when we decided to change the regime in Iraq was that we would be concerned about the territorial integrity of Iraq, and we have to keep that obligation—and, finally, that they are beginning the process toward the stabilization of their economy so that the economy can support those first two, a political process and a military—a security process.

I can't give you a timeline, but I think we will know when the Iraqis are able to have in place institutions, no matter how fragile

and no matter how young, where they're actually beginning to try and solve their own problems within those institutions. Now, they're not going to solve them perfectly, they're not, probably, going to solve them the way that we might, necessarily, but you see, step by step, over the last year or so, the Iraqis taking more and more responsibility for solving their own political problems. And I would take, for example, what has been going on with the Kurds about provincial elections in Kirkuk. They have been resolving that among themselves. That's an important political process.

On the security side, I think it's going to be somewhat clearer. They may need the help of multinational forces for a while, but, ultimately, Iraqis have to be willing to defend, and fight for, their own freedom. And they are showing a desire to fight and defend their own freedom. We have to get them the capacity to do it. And I took note of what Senator Biden and Senator Hagel and others said this morning—Senator Kerry—about the need to make sure we're training forces in the right way, that we accelerate that training. I do look forward to General Luck's coming back and letting us know what the next phase ought to be. We've faced changing circumstances here, but I've put a lot of emphasis and a lot of—a lot of emphasis on getting those security forces trained, and then, finally, helping them economically.

So it isn't that we have to see an Iraq that is a fully democratized, mature economy, fully able to deal with all of its divisions. That's going to take a very, very, very long time. What we have to see is that they've been launched on a path to be able to achieve that, that that path is one that is clear ahead for everybody, and where they are taking advantage of that path. And I think we will start to see that after these elections. And I think they are thinking in those ways.

Senator, I've thought, a thousand times, about how one thinks about nation-building, something that I famously said we probably wouldn't be involved in. We have been. And it's turned out that we've had to be, because our security depends on states that can function, on not having failed states in the midst. We learned the dangers of an Afghanistan that people left alone after the Soviets left, and we left it as a place that became a terrorist haven. We can't make that mistake again.

One of the important lessons that we've learned is that the skills needed to help reconstruct and stabilize the country and put it on a path to stable nationhood are skills that we haven't really had to use in a very long time, maybe since World War II. And one of the reasons that I'm so supportive of this new Office of Reconstruction and Stabilization is, I think it starts to give the State Department a focus for those skills. We find ourselves trying to help people create police forces. We find ourselves trying to help people create independent judiciaries that are not going to be wracked by corruption. We find ourselves giving technical assistance on currency. We find ourselves giving people advice about how to start up a ministry, in many of these places. We can learn, from the experiences that we've had in Afghanistan and in Iraq, how to put those skills together in a more permanent way, and how to be more predictive of what might be needed in places that we know we're going to have to engage in this kind of activity.

The office that is there now, I think, needs to look at what is going to be needed in Liberia, what is going to be needed in Sudan, and start to put together those skills now, so that you have a civilian counterpart to what our military often does in providing immediate stabilization. Otherwise, we have to depend on the military to do it, and that's not always the best answer.

I can tell you how incredibly supportive the uniformed military and the Defense Department are of this idea of an Office of Reconstruction and Stabilization, because they want and understand that the State Department needs to have the kind of expertise that we need to do this.

Finally, just on the visa issue, I will be coming back to you on exactly this. I'm, of course, an academic. I was provost of Stanford University. We had a large foreign student population. It was one of the best things for the foreign students, and it was one of the best things for our students, too, because they engaged people from other places as students—not as Chinese or not as Russians, but as students. They were all in a common enterprise. It changes the way we think about people, it changes the way they think about us. I've gone abroad so many times and sat and heard the prime minister describe how many universities his—American universities his people have come from. And you know what's really remarkable about it? It's not just from Stanford or Harvard or Yale, but it's also from universities like I went to, the University of Denver or Texas A&M or Nebraska or, I'm sure, Tennessee. And that's invaluable.

And so, I will be coming back to you, because these numbers are disturbing, and we need to do something to reverse the trend.

Senator ALEXANDER. Thank you, Mr. Chairman. I'd like to ask to put my entire statement in the record.

The CHAIRMAN. It will be.

[The prepared statement of Senator Alexander follows:]

PREPARED STATEMENT OF SENATOR LAMAR ALEXANDER

President Bush has made an excellent choice in nominating Dr. Condoleezza Rice to be America's next Secretary of State. Her experience as national Security Adviser will make her uniquely effective. When foreign leaders talk with Dr. Rice, they will know she is speaking with the President's voice.

I will have a question for Dr. Rice about Iraq and one beyond Iraq.

The major issue confronting Dr. Rice and our Nation is the war in Iraq. Some of my colleagues have said we need an exit strategy in Iraq. I disagree. We don't need an exit strategy in Iraq, we need a success strategy—but such a strategy may mean taking a more realistic view of what we mean by "success." It is one thing to help people to win their freedom. It is another to help a country become a stable, pluralistic, democratic, flourishing society. How many American lives are we willing to sacrifice to do this? How long are we willing for it to take? What is our standard for "success?"

That leads me to the question beyond Iraq, and it is this: the next time the opportunity occurs for the United States to undertake regime change or nation building, what advice will Dr. Rice give President Bush about the lessons we have learned in Iraq? During his campaign for the Presidency in 2000, President Bush was critical of nation building. That was before September 11, 2001.

Our initial war in Iraq was a stunning success. What came afterwards has been a series of miscalculations. But the United States has engaged in nation building more than a dozen times since World War II. Based upon those experiences, should we not have anticipated that nation building in Iraq should have required more troops, more money and taken longer than we expected? And what do these lessons say about our future policy toward nation building?

American history is the story of setting noble goals and struggling to reach them and often falling short. We sincerely say that “anything is possible” and that “all men are created equal” and “no child will be left behind” even though we know down deep we will fall short and we will have to keep trying. We also have said we want to make the world safe for democracy and we remember and inaugural speech 44 years ago in which a new President said we would “pay any price, bear any burden” for freedom. Yet there obviously is a limit to what we can do, and what we are willing to do and the number of lives we will sacrifice to secure the blessing of freedom and democracy for others.

At President Reagan’s funeral last June, former Senator Jack Danforth said the text for his homily was “the obvious,” Matthew 5:14–16. “You are the light of the world. A city built on a hill cannot be hid. No one after lighting a lamp puts it in a bushel basket, but on a lamp stand, and it gives light to all in the house. In the same way, let your light shine before others, so that they may see your good works, and give glory to your Father in heaven.”

From our beginning, that vision of the city on a hill has helped to define what it means to be an American and provided America with a moral mission. It helps explain why we invaded Iraq, why we fought wars “to make the world safe for democracy,” and why we are forever involving ourselves in other nations’ business. It is why when I was in Mozambique last summer I found 800 Americans, 400 of them missionaries and most of the rest diplomats or aid workers.

But is it possible that too much nation building runs the risk of extending too far the vision of the city on a hill? Letting a light shine so that others may see our good works does not necessarily mean that we must invade a country and change its regime and remain there until it begins to look like us. It may mean instead that we strive harder to understand and celebrate our own values of democracy, equal opportunity, individualism, tolerance, the rule of law, and the other principles that we hope will be exported to other parts of the world. How we ourselves live would then become our most persuasive claim to real leadership in a world filled with people hungry to know how to live their lives. For example, in my own experience, and I am sure in Dr. Rice’s, we have found that sometimes the most effective way to export our values is to train foreign students at our universities who then return home to become leaders in their own countries.

Of course we will never say that only some men are created equal, that only some children will not be left behind or that we will pay only some price to defend freedom. But perhaps we should think more about strategies for extending freedom and democracy in the world other than nation building and determine what those strategies are and when they most appropriately might be used.

Senator ALEXANDER. And if I may just underscore, I just want to emphasize the point that, with all the discussion about visas, that we’re not just talking about some goodwill gesture to the world; we’re basically talking about recruiting the most talented people in the world, who have helped us create our very high standard of living so that 5 or 6 percent of the people in the world have 25 to 30 percent of all the money. That’s what we’re—that’s one of the things we’re talking about here. We’re going to lose our capacity to do that, to some degree, if we don’t solve this problem.

Thank you, Mr. Chairman.

The CHAIRMAN. Well, thank you very much, Senator Alexander.

As you can tell, Dr. Rice, the committee is fortunate to have people who have served as governors of states, members of the Cabinet. But the visa issue was a part of our hearings last year. Senator Alexander played a leading role in the followup with a roundtable group. It’s a very serious issue because of homeland security and other purposes. We are losing ground, and the committee takes it very seriously. I’m sure you do too from your background in Stanford and elsewhere. I appreciate his bringing this up, and, likewise, your reiterating the reconstruction idea, which could also be called nation-building, which is so important. And the progress you’re making there, I think is critical.

Well, let me now call upon Senator Obama for his initial ten minutes of questioning.

Senator OBAMA. Thank you very much, Mr. Chairman, Members of the committee, Dr. Rice.

First of all, let me say how grateful I am to have the opportunity to serve on this committee. I know that it has a wonderful reputation for bipartisanship, and that, I think, is partly due to the excellence of the Chairman and the Ranking Member, and the degree to which you both work together extremely closely. So I'm looking forward to my service here.

Dr. Rice, it's wonderful to see you here, and I've been very impressed, obviously, with your mastery of the issues. Since it's the day after King's birthday, obviously 20 to 30 years ago it's unlikely that I'd be sitting here asking you questions. And so, I think that's a testimony to how far we've come, despite how far we still have to go. And I think everybody, rightly, is extraordinarily impressed with your credentials and your experience in this field.

I've got three areas that I'd like to explore that have already been touched on to some degree. I want to try to see if I can knock out all three of them with the time that I have remaining.

The first has to do with the issue of nuclear proliferation, which has already been discussed. But, you know, I think it's important to note that, in the midst of what was sometimes a very divisive campaign, there was strong agreement between President Bush and Senator Kerry that our number-one priority, that our single greatest challenge, is keeping nuclear weapons out of the hands of terrorists. And there has been enormous leadership on the part of this committee—and Senator Lugar, in particular, working with former Senator Nunn—to move the process forward of securing nuclear material in the former Soviet Union.

I am still concerned that less nuclear material, as I understand it, has been secured from the former Soviet Union in the two years after September 11th than the two years prior to September 11th. Now, it may just be that there was low-hanging fruit initially, and it starts getting harder as time goes by. But I'm also concerned by the fact that we've never fully funded, it appears to me, the Nunn-Lugar program. And so, I know that Senator Lugar is going to be presenting an amendment that gives your office more flexibility in this area. I'm hopeful that I'm going to have the opportunity to work with him and my colleagues on this piece of legislation.

I guess my question is, how are you going to use this flexibility? Number one, are you going to be seeking full funding? Number two, beyond the existing mechanisms to lock down existing nuclear material, what else are we doing, for example, to make sure that Pakistan has a mechanism in place to assure that those nuclear weapons, or that technology, is no longer drifting off into the hands of hostile forces?

Dr. RICE. Thank you. First of all, on nuclear proliferation, let me just say that, broadly, our strategy has been really threefold. First of all, to be very concerned about the loopholes in the Nonproliferation treaty. The Nonproliferation Treaty is in trouble, because there are countries that have signed on to it, and then are using the access to civilian nuclear power to really pursue nuclear-weapons programs. Iran is a prime example of that. The President has

made a number of proposals—Senator Lugar has—we’ve talked about this—to close the fuel cycle, to make it not possible for countries to enrich uranium or other fuels to the point that they are left with the fuel, but, rather, to get a fuel supply from the fuel suppliers that are out there. And it’s a proposal that has met with some resistance, but it’s something that we’re continuing to work on.

Clearly, we have to make the proliferation problem somewhat easier by not having countries, that are suspect, with access to the fuel supply.

Senator OBAMA. Can I interrupt, just real quickly?

Dr. RICE. Yes.

Senator OBAMA. Is the resistance on those reforms coming simply from countries that are in the midst of development, or are we also seeing resistance from allies, like France and Germany and others, that already have—

Dr. RICE. Yes.

Senator OBAMA [continuing]. —existing nuclear capacity?

Dr. RICE. Well, the resistance really is coming from countries that we think have no intention of trying to build a nuclear weapon, but who want to maintain the access to their entire civilian nuclear cycle. So we’ve had to talk with some countries about the fact that, yes, under the Nonproliferation Treaty, countries have a—have access to this, but, when you get a country that is cheating under that access, that maybe for those countries you shouldn’t have the access. So this is a discussion—we got a one-year moratorium on enriching and reprocessing, and we’ll try to keep pressing forward.

Secondly, we’ve been very aggressive on what is a really bad problem, which is nuclear entrepreneurship, the kind of AQ Khan factor, these black-market entrepreneurs who are selling nuclear secrets, selling, in fact, the whole little “kit,” if you will. And the takedown of the AQ Khan network is really one of the most important things that we’ve done. It will give us information on how this works. We have to put this one out of business, and we have to work to see if there are others.

This has all been helped by what happened Libya, where a country voluntarily gave up its weapons of mass destruction, in hopes of a better relationship with the international community. And we have to try and incent that kind of behavior on countries that have pursued weapons of mass destruction.

And then, finally, you mentioned—oh, I should also mention the Proliferation Security Initiative, which, of course, helps us to interdict dangerous cargo. So it’s a broad program. But the Nunn-Lugar piece of this is very important. As I’ve said, as an old Soviet specialist, I know a good bit about the dangers there.

We have tended—we have tried to fund it at levels that are adequate to do the work at hand. And you mentioned the securing before 2001, and the securing afterwards. Some of that is exactly as you mentioned, low-hanging fruit. Some of it is that there’s a, kind of, schedule for which sites get secured when. What we have done is to go to the Energy Department and ask them to prioritize, to try to get the most important sites secured in the earliest time. And the timetable has been collapsed to one where, if we keep to

schedule, we should be able to secure all materials within the next four years. So we're making some progress.

We need to work harder on the bureaucratic impediments to this. There are impediments on both sides.

Senator OBAMA. Okay, but my understanding, though, is also that, at the current schedule, we'd be stretching this process out for potentially 13 years, as opposed to four. Collapsing it will require a little more aggressive movement on the part of the State Department. And I recognize this is difficult. Russia may not always be entirely—

Dr. RICE. Right.

Senator OBAMA [continuing]. —interested in moving this along as quickly as possible. But it strikes me that, with the expertise we have on this committee, this is something we'd like to work on—

Dr. RICE. And we should certainly work on it.

Senator OBAMA [continuing]. —aggressively.

Dr. RICE. We do, by the way, have a collapsed schedule, for four years. We will see what it takes to get that done. But I appreciate the interest in this. This is something we should work very carefully on.

Senator OBAMA. The second question I have—and this is something that I think repeatedly comes up as I travel through Illinois; I suspect this is true everywhere—and that is the enormous strain that is being felt by our national guardsmen and reservists in Iraq. And, you know, I did a calculation, or my staff did, that I think if Illinois was a country, we'd be fourth or fifth in size of—as a coalition partner. I think that may be true, in fact, for just the National Guard, alone.

Now, I recognize that you're not up for confirmation as Secretary of Defense. Presumably, at some point I'll have the opportunity to ask Secretary Rumsfeld about some of these questions. But I am concerned about this notion, that was pursued by Senator Biden and others, that we've made significant progress in training troops. Because it seems to me that—in your response to Senator Alexander—that we will not be able to get our troops out, absent the Iraqi forces being able to secure their own country, or at least this administration would not be willing to define success in the absence of such occurring.

I never got quite a clear answer to Senator Biden's question as to how many troops, Iraqi troops—don't just have a uniform and aren't just drawing a paycheck, but are effective enough and committed enough that we would willingly have our own troops fighting side by side with them. The number, of 120,000 that you gave, I suspect does not meet those fairly stringent criteria that Senator Biden was alluding to. And I just want to make sure, on the record, that you can give me some sense of where we're at now. You may not have all the answers, but I'd like to at least get a better sense of that.

Dr. RICE. The number that we consider trained is 120,000. It's a little hard to give a number in—for exactly the criteria that you are talking about, because a lot of this is a matter of what you experience when these forces actually go into difficulty.

We have had—and everybody understands that we have had problems with people leaving, people deserting. We've had problems with people—well, not coming back. And we've had problems with, particularly, some of the police forces, who are, frankly, undermanned. And one of the things—or under-supplied—we are dealing with the structure of the police forces by trying to go to more commando units that are more heavily armed for what is now contact with insurgencies, not just what your average beat-cop can do.

The Iraqi forces have fought pretty well in a number of places. The forces that have fought best are the ones that have clear leadership by Iraqis. And this has caused us to focus more on the need for leadership, for coherent leadership for these forces. And I mean leadership of units, not leadership in the broad sense. And so, the Iraqis, themselves, are spending more time vetting people who—experienced leaders—who can be brought back these—to give structure and moral to these people. They're considering the policy of putting some of our people in as, really, almost mentors with these forces, really paying more attention to their capability to fight as integral units, not just the numbers of people that we're training. And I think that's going to be responsive to some of the concerns. And one of the points that General Luck will look at is how well that process is going and what more we need to do.

But the numbers are 120,000. When they are tested, some perform well, and some don't. We have to recognize that this is a very tough environment, even for the best-trained forces.

Senator OBAMA. Ours.

Dr. RICE. Even for our—even for our forces. And while we want to accelerate the training of the forces, we don't want to do what we did in an earlier cycle, I think, which was to accelerate it to the point that we put unprepared forces on the field. So it's a complicated issue, but I think we're trying to work our way through it. We've tried to adapt to what are really changing circumstances and changing demands for the Iraqi security force personnel.

Senator OBAMA. Mr. Chairman, I know my time is up. I would just make this note, that if our measure is to bring our troops home, and success is measured by whether Iraqis can secure their own circumstances, and if our best troops in the world are having trouble controlling the situation with 150,000 or so, it sounds like we've got a long way to go. And I think part of what the American people are going to need is some certainty—not an absolute timetable, but a little more certainty than is being provided. Because, right now, it appears to be an entirely open-ended commitment.

Dr. RICE. Senator, if I may just—to that point, I want to be understood that we are always looking to complete the job, but, of course, to get our forces home as soon as possible. And it will be a function of our—their capability and our ability to help them. But there is at least some hope that Iraqis may, themselves, fight this fight somewhat differently and somewhat better, because it is their fight.

I was asked once, why are Iraqis better in certain situations than even the best-trained coalition forces? And, of course, an Iraqi knows whether that is a Syrian or a Saudi or an Iraqi. They are

“of” the country, “of” the culture, and they’re fighting for their own freedom.

And so, one of the standards of success is really that the Iraqis are fighting for their freedom; even if they’re not fully able yet to secure themselves, that they are fighting for their freedom. And I think we are seeing very strong signs of that in the country.

Senator OBAMA. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Obama.

I just want to underline the Senator’s point. And you have addressed that, in your own way, Dr. Rice. But I know that when Prime Minister Allawi was here, he told some of us who are around this table that, by the time of the election—about a year from now, there would be at least 200,000 people, who are both police force and National Guard, who would be capable, who could, in fact, patrol the streets, control the country. And then, he assured us, there will be a good election, unlike what we are likely to see on January the 30th.

I’m wondering if it’s not possible for us to devise, between you and us, some metrics that are more satisfying than the large spread that we have between Senator Biden’s questions and Senator Obama’s followup, 4,000 and 120,000. As you point out, of the 120,000, it is very difficult to determine how well-trained they are, how many weeks they will need, what kind of staying power they might have, whether they’re overwhelmed. We appreciate that. As Allawi said, the negotiation with us as to how rapidly we withdraw in a seemingly and secure way must occur. This is going to be up front with the American people for quite some time. And I think we can probably do better with the question. It’s very difficult to do so in this dialogue because all the criteria of training and capability are not really clear. But I’d just ask you to think through this a little bit, and we will, too, creatively, maybe through hearings or through studies of some sort. I think some measurement is essential, perhaps like the way we were gauging the electrical power output for a while, or determining how much oil was in the planning to be produced. There have to be some indicators that give some sense of progress and hope and what have you.

Dr. RICE. Thank you, Senator.

The CHAIRMAN. Senator Sununu? And I congratulate you on your co-chairmanship with Senator Biden of a very successful observation effort.

Senator SUNUNU. Thank you, Mr. Chairman. And I suppose it’s largely due to the fact that you chose me, so I’m very grateful for that.

Dr. Rice, in your remarks, you mentioned that the United States has a role to play in providing assistance to the new Palestinian leadership. And in our meetings last week with both Abu Mazen and Abu Ala, it was emphasized that, in structuring the Palestinian security forces, one of the biggest needs was money to deal with the pension issues and payment issues.

Do you intend to recommend a financial-assistance package for the new Palestinian leadership to restructure their security forces? And is it likely that that request would be part of a supplemental budget early in the year?

Dr. RICE. Thank you, Senator. I will look with others, when I get to State, at precisely how we might fund the obligations that I'm sure we're going to have to undertake to help the Palestinians in this important period of time. Clearly, the training of the security forces is going to be critical. They've got to fight terrorism. They've got to have trained security forces to do it. It will be a good investment, to train those forces.

I would just note that we have, through indirect assistance, through the United Nations, through non-governmental organizations, provided a good deal of funding to Palestinian reconstruction, Palestinian humanitarian needs. We also have—the President approved the funding of \$20 million in direct support to the Palestinians just recently to help with their elections. So there is a fund flow, and we will look at what more we need.

I would hope that some of this would be funded by their Arab neighbors. I have to say that, you know, if people really want a peace—if the countries in the neighborhood, as they come and they tell me, and they come and they tell the President, they come and they tell the Secretary Powell all the time, “We have got to have peace, you've got to work on behalf of the Palestinians”—then there are a number of their neighbors who could really afford to help fund some of these efforts. And I'm sure that I will be actively seeking their support, because that is one thing that the neighbors could do for the Palestinian people.

Senator SUNUNU. Well, that was my second question: What can the Arab states do to help? Obviously, with 45- or 50-dollar-a-barrel oil, the economy is there, and the revenue base there is much stronger than it has been in past years. Is there any specific role that you see for the Arab states, in addition to financial resources? One of the issues that was raised in some of our meetings were, perhaps, the opportunity to assist in the training of the security forces. And, let me be clear, there are two different steps to this. One is restructuring the security forces, which will take resources and funding, in and of itself, and a lot of political will. And then the second step would be the training of security forces. Is there a particular partner in the region that you think might be best suited to that training role?

Dr. RICE. Yes, I—it appears to me that both the Egyptians and the Jordanians will probably have a role to play. They've played that role before, in various ways, and we have had extensive conversations with them at other times about playing that role—at the time, for instance, of Akaba. And we would want to get them involved. The Egyptians, of course, also have a role to play in helping stabilize the Gaza as the Israeli forces withdraw, and we have talked with them about that.

There are other roles that we need the Arab states to play, and I think the most important is—I mentioned earlier, you can't incite hatred against Israel and then say you want a two-state solution. It's just got to stop. They've got to stop it in their media, they've got to stop it in their mosques, because it is a message that is inciting the people who want to destroy the chances for peace between Israel and Palestine—the Palestinian territories. So we have—we've sent that message.

And it was probably little noticed, but when we went to Sharm El Sheik, the Arabs actually issued a very good statement, and it was on behalf of Arab states, the Arab League, and it was a very good statement. We will be going back to them to remind them of that statement and to ask them to live up to it.

Senator SUNUNU. In addition to the value of that statement, I would mention that one of the things that came up time and again was the impact that your visit had on the area, and the importance of that kind of high-level engagement. I know you answered some questions with regard to a special envoy. It's something that you have supported, in concept. But I would just underscore the value of that, a high-level engagement, whether it's through our special envoy or your personal commitment.

You mentioned Egypt and Jordan. So a third question has to do with public diplomacy. You mentioned it in your remarks. It's obviously a goal that's shared by most everyone on this committee, to focus on public diplomacy and even to reform some of our efforts in that area. I believe one of the areas of public diplomacy that has been a success story is that of the American university in Beirut, the American University in Cairo, what they have done for both students in the region and American students seeking to broaden their educational base.

I have had suggested to me the initiative of developing an American university in Amman, and I was curious what you thought of that objective, and what kind of support you might lend to such an effort.

Dr. RICE. Well, thank you. I will certainly look at it. I haven't taken a look at that, and I'd like to have a chance to do that. But I have to say that the two universities that you mentioned have been, really, extremely important in helping to create a link between the United States and these important countries and in providing a place for moderation in these societies. And so, it's certainly the kind of thing that we should look at.

We have to look, overall, at what I like to call a conversation, not a monologue. It's one thing to get your message out, which is how we often think about it, but it's also important to engage other cultures. And I would hope that that includes, on the part of the United States, a commitment—a renewed commitment to the training of people—Americans in critical languages, like Arabic and Farsi and other languages, and in the study of those cultures.

I was a Soviet specialist and learned Russian at a time when a lot of us were told that was a good thing to do for the well-being of the country. And we linked our cultural awareness and linguistic awareness to the broader question of how we secured ourselves and how we won the war of ideas. And we have to do that again. There are too few of us who are able to engage those societies on their own terms.

Senator SUNUNU. Finally, I'd like you to talk a little bit about the Middle East Partnership. This is a new way of looking at financial assistance. It's obviously consistent with the goals that you spoke about in your remarks today—economic liberalization, political reform. Do you believe that MEPI, as implemented to date, has been successful? Is it a model that we ought to seek to reproduce elsewhere? And how do we ensure that an approach like MEPI and the

funding commitment made through the Middle East Partnership isn't duplicative of efforts within USAID or other State Department programs?

Dr. RICE. On the broader question, there needs to be very close coordination between USAID and the State Department. And I think that that has gotten better. Just watching it from the outside—I will obviously know more as I get to the inside, but I really do think that Andrew Natsios and Rich Armitage and Colin Powell have worked very closely together to make sure that all our resources are going in a way that is not duplicative to further our goals.

I am a supporter of MEPI. I think that it is a part of the concrete things that we can do to change the environment in the Middle East. And its focus on good governance, as well as liberalization of economies at the same time that assistance is flowing, is a very important innovation. It is also behind the Millennium Challenge account approach, where I think we now have a consensus about foreign assistance, that foreign assistance has to be a two-way street—that it's not just money going into a country, but it is—a country has to be devoted to fighting corruption, to liberalizing the economy, to good governance, to spending money on healthcare and education for the people—or it's not going to succeed. And that kind of compact between donor and donee is the wave of—the future wave, I believe, for foreign assistance.

And so, we do have other initiatives that push in the same direction. I might just mention, also, Senator, that we hope, in the Middle East, to be able to take advantage of free trade as a tool, both to encourage peaceful liberalization between the countries of the region, but also with us. And so, Bob Zoellick has been putting free-trade agreements in place in a lot of places in the Middle East, and looking to the day that we might have a Middle East free-trade area.

Senator SUNUNU. I want to note, for the record, that was question number five, Jordanian free trade and, obviously, the initiatives in Morocco that have been undertaken. And I certainly encourage you to continue along that line. I think, in the long term, the issues that have been stressed within part of the Middle East Partnership—that is, economic liberalization and the trade liberalization that comes along with that—will do far more for economic growth and development as any short-term assistance that we might provide. That short-term assistance is important, and especially in areas like restructuring the Palestinian security forces. I don't think that can happen in the short term without some outside assistance, but, in the long term, economic growth, development opportunity—it's really going to be determined by the macroeconomic policy and trade policy that are chosen by our partners.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Sununu.

Senator Martinez?

Senator MARTINEZ. Mr. Chairman, thank you very much. It's a great honor to be a part of your committee. I want to thank you and Ranking Member Biden for the warm welcome, and I look forward to working with you and the other Members.

I'm particularly honored today to have the opportunity to participate in the confirmation of Dr. Rice, someone I came to know as a colleague and friend in our work together in the administration. And I can certainly recall many moments in which her steady leadership and her steady hand were felt, from those early days of our administration, when an American airplane was down in the—off the coast of China, to tumultuous days after 9/11. When good, steady leadership was needed, Dr. Rice was there, providing it to the President each and every day. And I know that, in all my interactions with her, I've always found her to be, not only extremely competent, but a person of great personal integrity, and I'm extremely proud to be in support of her confirmation.

We've talked a little bit about Latin America, Dr. Rice, an area that's of great interest. I share, with Senator Dodd and Senator Nelson, the anxiety that we have about the need for us to be more engaged in the region. You hear it from all their leaders when you travel there. You also just know that it is an area that begs for our participation and engagement in a more direct way than we've had in the last several years.

There are some signs that are troubling to me. And I know we've talked about Venezuela. I want to go back into Venezuela for a moment, because it seems to me that over the last—well, first of all, Venezuela is a government that, purportedly, was elected through a democratic process. However, anything but a democratic governance is what takes place there today. I'm troubled by the recent events, where property has been expropriated, inflammatory statements, as Mr. Chavez travels the world, that he continues to make against the United States, which has been a pattern of his throughout the time of his governance, his close relationship with another negative force in the region, with the Government of Cuba and Fidel Castro, himself. It really does raise, in my mind, some serious skepticism of our ability to work with him, or his commitment to true democracy and pluralism within his own country.

In addition to that, we now know, recently, that Mr. Chavez has initiated conversations with Russia about the major purchase of arms. It sounds to be something in the order of \$5 billion. It would be a terribly destabilizing effect on the region. He's talking about purchasing MiG-29s, advanced jet fighters, as well as a large, large number of AK rifles and other military equipment. He's already purchased helicopters. This would create, I think, a tremendous imbalance in the region, in terms of the potential to trigger an arms race in a region that, frankly, does not need one.

And, also, I greatly concern myself with the continuing friction that appears to exist—or, actually, doesn't appear; it, in fact, exists—between Venezuela and its neighboring country, Colombia. I know, in Colombia, we have tried to support President Uribe in his fight against the narco-trafficker terrorists, or narco-terrorists.

And so, my question to you would be, how do you view the government of President Chavez, the kind of threat that it represents to stability in the region, as well as to his neighboring Colombia, and his continuing pattern of association and relationship with some of the worst characters in the world, including Fidel Castro?

Dr. RICE. Thank you, Senator. I think that we have to view, at this point, the Government of Venezuela as a negative force in the

region, negative in terms of its effect on its neighbors, as you have outlined, and negative in embracing the only undemocratic government in the region—as I said, the only place there’s an empty chair in the OAS is for Cuba—negative in the sense of what he is doing inside of his own country to suppress opposition. And it’s a very, very serious matter. And the—we can, I think, work with others to expose that and to say to President Chavez that this kind of behavior is really not acceptable in this hemisphere that is trying to make its way toward a stable, democratic future.

Democracy has a lot of challenges in Latin America. It has challenges of new, fragile institutions that have come into being over the last less-than-two decades. It has the challenges of trying to bring economic prosperity to very poor populations. It has the challenge of trying to integrate into the political system people who have long been shut out of that political system, like indigenous peoples. It has a lot of challenges. In some places, it has the challenge of terrorism and narco-trafficking, like Colombia.

But I do want to say that President Uribe has been very tough on narco-trafficking and terrorism, and we’ve supported him, and I think he’s making some progress. It has places like the Andean region, which we’ve supported through extension of Andean trade preferences and through working on the Andean Initiative.

We are engaging, and need to engage more, this very vital region. It has a lot of promise. But I would have to say that, at this point, one would have to judge the influence of Venezuela—Venezuela’s government as negative. And it’s too bad, because it has been a longstanding good relationship with the United States, and we have great affection for the Venezuelan people. I just think that right now it’s a pretty negative influence.

Senator MARTINEZ. As it relates to Cuba, I know that the President put forth a very broad policy towards Cuba in May of this year, which included, among other things, a really strong outreach to the dissident community with Cuba, and providing encouragement and assistance so that this budding group of people could continue to thrive. Understanding that they operate under tremendous difficult circumstances, as we know, from the continuing human-rights suppression in Cuba and political prisoners, like Dr. Oscar Elias Biscet and others, who continue to unjustly be imprisoned.

I wondered if you could speak to the implementation of the recommendations of the Commission on a Free Cuba, which, obviously, some of them have been already taken place, but I’m particularly concerned about whether there will be, within the State Department, someone that you will task to be a point-person in the continuity of this and in the ensuring of the implementation of all of its different points, including, in this, the obvious need for there to be a continuing flow of information to the Cuban people.

I was delighted when Ranking Member Biden mentioned that, when he saw Lech Walesa, the first thing he said was not “solidarity,” but was “Radio Free Europe.” I think that Radio and TV Marti can have that same freeing potential for the people of Cuba if we can break through the jamming that continues to be there because of Castro’s fear of his own people hearing just free news and information.

So can you help me giving me some assurance that there will be someone to ensure the carrying out of this by having a point-person so assigned, and a continued commitment to Radio and TV Marti, and the platform that we're talking about, having a dedicated opportunity to pierce the jamming, by ways in which—we've done it recently, in ways that I think would help the people of Cuba to get free information.

Dr. RICE. Well, the information flow to Cuba is a very important tool for us, because Castro would like nothing better than to have his people shut off from information. And Radio Marti and TV Marti, of course, we've been very supportive. We've been flying commando solo. We're looking at how best to extend that and make certain that we can continue to do that.

I don't know about the structure just yet, but I can assure you that there will be very close attention to the implementation of the Commission's recommendations. We've already made a lot of progress with our—with immigration, with homeland security. Castro, I think, is feeling some of that, where we are beginning to make it not possible for him to skim money off of monies that people send for humanitarian or family reasons or travel to fuel his dictatorial regime.

The day that the people of Cuba are finally free is going to be a great one for the Western Hemisphere, and the Commission recommendations were intended to try and hasten that day and also to try and prepare the ground for a peaceful transition. And it's a very important goal, and you can be certain that we'll pay extremely close attention to it.

Senator MARTINEZ. You have in the past, and I know you will in the future.

Dr. RICE. Thank you.

Senator MARTINEZ. Shifting to the Middle East, I had the opportunity to travel there recently and also saw the Palestinian election take place. One of the great concerns that seems to be there as we look to a peace process is the continued stability in Southern Lebanon—the fact that the United Nations resolutions have never been implemented, Syria has never really left the region, the Lebanese Government has never really taken over the southern part of Lebanon—and it just continues to exacerbate the inability of Israel to not suffer the terrorist attacks, which then creates more instability in the region.

Do you think that there will be an opportunity for us to more forcefully assert the need for that resolution to be observed by Syria and Lebanon?

Dr. RICE. Absolutely, Senator. The Resolution 1546, which we and the French cosponsored to put the Syrians on notice that the world expected them to observe the legitimate sovereignty of Lebanon, to begin to remove their forces, to stop terrorism from there, I think, was a very important achievement. Secretary General Annan has appointed someone to keep on top of the implementation of that resolution. And that's also very important.

Lebanon can be one of the democratic strongholds in the Middle East. And so, we need to pay attention to what is going on in Lebanon.

And if I just may say one line about Syria, as well, I think that it's fair to say that the Syrian Government is behaving in a way that could, unfortunately, lead to long-term bad relations with the United States. It is incumbent on Syria to respond, finally, to the entreaties of the United States and others about their ties to terrorism, about the harmful activities that are taking place from Syrian territory into Iraq, and to act on a number of the steps that were first outlined to them by Secretary Powell almost three years ago, and then by Deputy Secretary Armitage just very recently. And so, this is an important issue with Syria, and I just want to thank the Congress. We do have, thanks to the Syrian Accountability Act, some tools, but we will have to mobilize them, because Syria should not be, but is, thus far, not a constructive force.

Senator MARTINEZ. Thank you.

The CHAIRMAN. Thank you very much, Senator Martinez.

At this point, I want to have a little discussion. I will not let this become a full-scale debate. But I want to survey what is possible with the committee this afternoon in the hearing. And so, I'm going to ask each Member who is assembled for some estimate of how many minutes the Member would require in raising additional questions. And we'll try to total that up and come to some idea, then, of whether we might complete our work this afternoon and, in fact, have a vote on confirmation. Or, if that is not in the cards, we will proceed in regular order so that Members will have the opportunity to ask the questions that we promised everyone they could ask.

Dr. RICE. And, Senator, I'm willing to stay here longer than the afternoon, if you need me to be.

The CHAIRMAN. Well, you may be more prepared than all of our Members. But, nevertheless, we'll not debate that, either, in terms of eagerness.

But let me just ask. Senator Hagel, do you need more time?

Senator HAGEL. Ten minutes.

The CHAIRMAN. About ten minutes.

Senator Chafee?

Senator CHAFEE. Probably five.

The CHAIRMAN. All right.

Senator Coleman?

Senator COLEMAN. Maybe five, but I'd forego my five if we came to some consensus that we could vote this afternoon.

The CHAIRMAN. I see. Flexible, okay.

Senator Voinovich?

Senator VOINOVICH. Ten.

The CHAIRMAN. All right.

Senator Martinez?

Senator MARTINEZ. Sir, I'm awfully new, I need to be very flexible.

The CHAIRMAN. All right. Well, I read that somewhere between 30 and 40 minutes—plus or minus a few.

Senator Biden?

Senator BIDEN. I have at least ten minutes.

The CHAIRMAN. Senator Sarbanes?

Senator SARBANES. Another round.

The CHAIRMAN. All right.

Senator Dodd?

Senator DODD. The same, 10 or 15 minutes.

The CHAIRMAN. All right.

Mr. Feingold?

Senator FEINGOLD. Ten minutes.

The CHAIRMAN. Senator Boxer?

Senator BOXER. About two rounds.

The CHAIRMAN. About two hours?

Senator BOXER. Two rounds.

The CHAIRMAN. Two rounds, all right.

Senator BOXER. I don't want two hours.

The CHAIRMAN. All right. Very good.

Senator Obama?

Senator OBAMA. That sounds better than 20 minutes.

The CHAIRMAN. All right. Well, that would be at least 70 minutes or so, it looks like.

And, Senator Murkowski, how many more minutes would you like to question the witness?

Senator MURKOWSKI. I think it can be done in ten.

The CHAIRMAN. Another ten, all right.

Well, it appears probably we have at least two hours of work ahead of us, maybe more. And let me just mention, the distinguished Ranking Member, because of an important commitment, will need to leave at about 6:00 o'clock or thereabouts.

Senator BIDEN. Mr. Chairman, I do have a longstanding commitment at 6:00. I assumed we'd go two days. But I want to make it clear, if, in fact, the committee has exhausted its questions in the time frame of 6:00 or 7:00 o'clock, I would leave my proxy with my colleague, if you would be still here, or with you, to vote my proxy. I have no objection to proceeding, assuming every Member is satisfied they've had their questions answered. And I'm sure the witness would be delighted to not have to be back tomorrow, although we enjoy her company greatly and expect her back many times.

Dr. RICE. Many times.

Senator BIDEN. So I have no objection, as long as the Chairman understands, my constraint is at about ten minutes of 6:00. I'm going to have to leave for a longstanding commitment.

Senator DODD. Mr. Chairman, if I might just—I think what you're doing to do is a wise thing, to proceed in this way, but let's—I would hope, because, in terms of the nominee's responses and so forth, you may find Members needing more time than they've indicated to you here—

The CHAIRMAN. Could be.

Senator DODD [continuing]. —in good faith. It would be improper for us to assume that you might be able to say there are two hours left, and we'd be, sort of, failing in our commitments to you if we discovered that we needed more time to pursue some issues maybe a little more aggressively.

The CHAIRMAN. I understand that. And the Chair will not be unreasonable in keeping the hearing going forever. We'll try to gauge what is doable. Now, if, at some point it appears that we're still raising good questions, but we're not going to conclude, then I would ask for Members' cooperation to come back tomorrow morning at 9:00 o'clock again. And, hopefully, under those cir-

cumstances, perhaps to have a vote on the nomination before noon so that we would then compact our efforts, perhaps, and thus leave afternoons available for the nominee and for ourselves.

But if that doesn't work, why, we've reserved the afternoon, also. One option or another probably will work out, and that's why I just took the time to gauge your preferences at this juncture. We've had wonderful attendance. As you've noticed, Dr. Rice, all 18 Members have been present and have all taken at least ten minutes, some a few more—as the case may be.

There is deep interest in this, as is evidenced by the attendees at the hearing who have come to hear you. And we've had standing-room only throughout the hearings. You cannot see this from where you are sitting, but I can testify to this.

Well, we'll proceed now. We'll set a ten-minute round. Members need not use all ten minutes if they are disposed to stop short of that.

Let me begin by saying, Dr. Rice, that I submitted a question to you, and I appreciated your response, endorsing my initiative for an institute on the free press at the National Endowment for Democracy. Given both public and private sectors working together, the National Endowment seemed to me to be a good framework for this. We can make some headway on the public diplomacy initiatives that you have expressed today, and enlist both parties, Republicans and Democrats, through the International Republican Institute and the National Democratic Institute, and others who are affiliated. I'll not take time to question you, but I just wanted to note that I appreciated, very much, that endorsement. I mention it because of your strong advocacy, today, of public diplomacy, the need for us to get our message out.

Dr. RICE. Thank you, Senator.

The CHAIRMAN. Let me ask about Ukraine. We have had a dramatic chain of events, and they are, by no means, at conclusion. The story evolves there. But it is clear that President Yushchenko will have numerous hurdles in front of him. It would be helpful, in my judgment, if we could have the administration's support of legislation repealing Jackson-Vanik restrictions for Ukraine. Do you have an opinion on—

Dr. RICE. We would—

The CHAIRMAN [continuing]. —that initiative?

Dr. RICE [continuing]. —we support the repeal of those—

The CHAIRMAN. For Ukraine.

Dr. RICE [continuing]. —For Ukraine, at the time that it's appropriate, yes.

The CHAIRMAN. Well, I appreciate that. And you may be able to help us determine, in the timetable, when it is appropriate, and to work with us on that legislation so that there will not be hitches or misunderstandings with the government that we are trying to assist there.

Senator Biden has indicated an appropriate and timely call from our former colleague Senator Danforth, our ambassador to the United Nations, with regard to Sudan. And I had the privilege of visiting with him in the last few days, over the telephone, on specific issues that are now before us. Despite peace between the north and the south, there is, in fact, the need, still, for peacekeepers—

African troops, essentially. About \$250 million, he estimated, would be required to pay for that peacekeeping effort by these troops, in addition to a commitment he feels that we have made as part of the carrots of the carrots-and-stick business, of about \$500 million in development aid to the Government of Sudan. Now, Senator Danforth was concerned about both sums, the 250 million and the 500 million, and the incorporation by the Department of this in our foreign assistance budget—or wherever it may be appropriate, perhaps in the Defense budget. Have you given thought to how we are going to meet the Sudan commitments?

Dr. RICE. Senator, I need to look at precisely how we will meet the commitments. We have been aware of the commitments that we have, and we will do it through some combination of funding accounts.

As to the peacekeepers, I think our goal, right now, is to convince the Sudan Government that the AU needs to have the full 3,300 complement, not just 1,100. And we're working very hard on that. But we recognize the commitments that we've made on—

The CHAIRMAN. So they still need to be convinced that they need 3300 peacekeepers.

Dr. RICE [continuing]. —Right. That's right.

The CHAIRMAN. Oh, well, that's a very—

Dr. RICE. That's a problem.

The CHAIRMAN [continuing]. —important factor. But it's still important that we succeed, I think, in having an appropriate amount, not only to gel together the success thus far, but, obviously, because Darfur is still in some jeopardy, as Senator Danforth has told this committee, with a lot of guilt on all sides, in that situation.

Of course, sadly enough, he also, I'm sure, informed Senator Biden, as he did me, that he will be leaving his post today.

Dr. RICE. Yes.

The CHAIRMAN. And so, once again we have a very important diplomatic assignment that requires a nominee. I would just request that you work closely with colleagues in the White House and with the President to forward a nominee quickly, because, as we went through this progression with Ambassador Negroponte's nomination, the committee moved very rapidly to hold a hearing almost before the Ambassador might have been prepared for it, as well as the Department, considering all of the paperwork that needs to be done. At this particular crucial time, an ambassador to the U.N. from the United States is so important. So I know that that's on your mind, but I—

Dr. RICE. Yes, it is.

The CHAIRMAN [continuing]. —just wanted to take the occasion of the hearing to underline it.

Dr. RICE. Thank you.

The CHAIRMAN. I wanted to mention, in Venezuela, as others have already, that we do have a very, very heavy oil traffic with Venezuela that's mutually beneficial. However, given all the difficulties and vagaries of the situation, I just simply want to ask, Is there a contingency plan, in the event of another suspension of oil exports from Venezuela? Because even the hint of this, or of labor difficulties in Venezuela, causes spikes in the oil futures mar-

kets. These bring speculation and higher gas prices for Americans, all over. They see us, as constituents, and ask, "What are you going to do about it?"

Nigeria sometimes is responsible, quite apart from the Middle East and the normal suspects. But, with Venezuela, do we have, really, some contingency plan of what to do with this 13 percent of the oil that we require?

Dr. RICE. Well, we're certainly hoping that the Government of Venezuela realizes, as you said, the mutual beneficial nature of this. I think that it was Senator Nelson who mentioned the fact that some 80 percent of Venezuelan exports are actually—in oil—are actually to us. So it is mutually beneficial. Obviously, we have to prepare for disruption. That's why we have a strategic petroleum reserve. And the long-term goal, of course, is to have an energy policy that lessens our—

The CHAIRMAN. Yes.

Dr. RICE [continuing]. —dependence on foreign supplies. But it would be—I would hope that the Venezuelan government, whatever our differences and difficulties with, understand that this is, economically, a mutually beneficial relationship.

The CHAIRMAN. Well, as you take hold, would you just take under advisement the need for a more explicit plan, and perhaps, through the appropriate departments in the Department of State, work with the subordinates that you will have? Because it just seems to me that something here is going to be required, beyond the hope, eventually, for an energy plan or the various contingencies that we have thus far.

I just wanted to touch on Iran briefly to indicate that there has been enormous commentary, not only from the press, but among academics, about the extent of our participation with the Europeans in negotiations with Iran or with the IAEA. And from time to time, it appears that the Europeans, or Ambassador Baradei, negotiate various things, and then we make an editorial comment about it, but are not exactly around the table are not lifting in the same way.

Are you examining what our role ought to be in these ongoing negotiations so that, in fact, they will be more successful, so that they will have greater staying power, and the Europeans, as well as the U.N., will have greater confidence that our heft is behind this situation?

Dr. RICE. Well, we're certainly working very closely with the Europeans. And, with the IAEA, we're full participants, as members of the board, in the processes that the IAEA is going through.

Obviously, we need to keep reviewing this situation, but I think that we believe, at this point, that there is a path ahead. If the Europeans are unable to get satisfactory understanding with the Iranians about their international obligations, I think we have to go back and look at the process that was prescribed, which is that this would go to the Security Council, and we would go from there.

Nobody is saying that there have to be sanctions right away, or anything of the sort, but we are saying that Iran has to be held to account for its international obligations.

The CHAIRMAN. Well, indeed, that has been our policy. I, once again, am hopeful—and I see an opportunity with the Europeans

here, as we begin to meld together strategies for the future in the Middle East—some possibilities for more cooperation, for more mutual assistance in this process, in addition to, as you say, our thought that responsibility means that they've got to do this or that, or face the U.N. Ultimately, they might face the Security Council, and not much might come of it. I think you understand better than any of us the importance of the negotiations. I've just seized, once again, on some possibilities of working with Great Britain, with France, with others who have been doing more heavy-lifting here.

Dr. RICE. Thank you.

The CHAIRMAN. Now, finally, in May, the Nonproliferation Treaty Review Conference is going to take place in New York. May is at least four months away, but what sort of preparations is the administration making for that conference? What sort of objectives will we have at that point?

Dr. RICE. Well, we will try, at that conference, to work with others to try and address some of the loopholes that are there in the NPT. And I think the big one, of course, is this issue of civilian nuclear-use being used to cover—

The CHAIRMAN. The loop that—

Dr. RICE [continuing]. —nuclear programs—

The CHAIRMAN [continuing]. —you mentioned earlier.

Dr. RICE [continuing]. —this fuel cycle—

The CHAIRMAN. Yes.

Dr. RICE [continuing]. —loop. And we have some proposals. We're working—there's a proposal for a special committee on compliance, which I think is a good proposal, and we probably can work that out. But the NPT needs some repair. And we will try and press this agenda at the conference.

I have to say that the leadership of the IAEA has also been interested, when I've talked to Mr. El Baradei about this, in trying to pursue some of these problems, too, because they know that, without a sound NPT, there's—we really are—we have one hand tied behind our backs.

The CHAIRMAN. Thank you.

Senator Biden?

Senator BIDEN. Thank you very much.

Dr. Rice, I'm going to ask several questions, and we can both get right to it. It'll keep me from a second round, maybe an incentive.

First of all, I'd like to ask you briefly about Iraq. In my last trip to Iraq, I was surprised at how frequently—and I'm not exaggerating, my colleagues may have found the same thing, I think they did—how many people asked us, including our own military, "Are we staying"—how many times I heard the question, from Iraqis as well as our own military, "Are we staying, or is the administration's exit strategy an election? At the end of January, Allawi, whomever is elected, turns and says, 'We want you out,' and we leave; we declare that Saddam has been defeated, we have eliminated weapons of mass destruction, or there are none there to begin with, and we've done our job, and we leave."

Can you tell this committee whether or not it's the administration's position to see through the process until the election that's due at the end of 2005?

Dr. RICE. Well, it is certainly this administration's intention to see that process through. I think what that means for our force levels, we will have to see, as we've been talking about, Iraqi forces. There's no doubt that we believe strongly that they're on a path here, and we have to help them through that path.

Senator BIDEN. Do you see any possibility—now, everything is possible—do you see any reasonable possibility that the United States would withdraw the bulk of its forces before the end of 2005?

Dr. RICE. I can't judge that, Senator Biden, but I will say that we're going to try to help the Iraqis get this done. And what force levels we need to get it done, we'll just have to keep to get it done.

Senator BIDEN. Well, I think it would be a useful thing, upon consideration, once you're sworn in, for somebody to tell the American people what to expect, so they have some sense of an honest assessment of what is likely. Every single military person I have spoken with in my trips to Iraq says we need a minimum of 150,000 troops, at least for the next year and possibly beyond that, that there's no reasonable possibility, no matter how well we train Iraqis, that we would be able to draw down in any significant way. Some are talking about drawing down the 12,000 we put in for the election.

And so, I hope that there will be an attempt on the part of the President to try to just give his best judgment to the American people of what is expected of them, because I think they're prepared to do anything that's asked of them, but I don't think they're prepared to continue not to know, not to have some honest sense of what may be expected of them. Because I expect you're going to have to come back for tens of billions of dollars this year, and I know we'll go through the game of not—I know Iraq's not part of our budget; it's that magic thing that we never know—having any idea what we're going to spend, even though we know exactly how much it costs to maintain X number of troops in Iraq. It's just fascinating. It's like Democrats talking about revenue enhancements. Republicans talking about Iraq is up there in the sky somewhere and we don't have to include it in the budget, like the Lord Almighty may come down and pluck it from the Earth and drop it on Mars. But I just think we need a little more candor. I hope you'll focus on that a little bit.

Iran. Seymour Hersch wrote, in *The New Yorker*, that the, quote, "Hawks in the Pentagon, in private discussions, have been urging a limited attack on Iran because they believe it could lead to a toppling of the religious leadership," end of quote.

I'm not asking you about whether there's any discussion about an attack, but do you believe that it is possible to "topple," quote, the religious leadership in Iran? And—by any short-term military action—is that a goal—not militarily—is it a goal of the United States to change the regime in Iran?

Dr. RICE. The goal of the administration is to have a regime in Iran that is responsive to concerns that we have about Iran's policies, which are 180 degrees antithetical to our own interests at this point. That means that the—a regime, "the" regime, would have to deal with its nuclear-weapons obligations, deal with the fact that there are al Qaeda leaders who have been there, deal with the fact

that they're supporting Hezbollah and terrorism against—and Palestinian rejectionists against the Middle East peace process. That's what we're seeking.

I do want to say that the Iranian people, who are among some of the most worldly, in a good sense, that we know, do suffer under a regime that has been completely unwilling to deal with their aspirations, and that has an appalling human-rights record—

Senator BIDEN. One of the things that—if I can stick on the nuclear side of this equation for a minute, one of the things that I've found—I may be mistaken, but I think Senator Hagel also might have found, there were a lot of feelers coming out, we talked to you about it in detail, from the Modulists and members who were viewed as at least modern and not clerical, not necessarily pro-Western—was, I didn't find a lot of distinction between quote, "Iranian democrats," with a small "d," and the Ayatollas on the issue of whether Iran, quote, "was entitled to be a nuclear power."

The arguments I would get would be—even from people we would not consider hardliners—was that, "We're in a dangerous neighborhood. We believe Israel has nuclear weapons, Russia has nuclear weapons, Pakistan has nuclear weapons, India has nuclear weapons, others are seeking nuclear weapons. Why are we not entitled to nuclear weapons? And there's no umbrella or guarantee coming from any nuclear power for us."

Do you think, if there was a regime change—that is, assume that the reform movement had been successful, assume that instead of toppling those elected officials in genuinely held democratic elections, assume that instead of them being thrown out, assume that they had prevailed and the religious leadership had been defeated, politically, in Iran. Do you think Iran would forego its nuclear aspirations?

Dr. RICE. Well, it's hard to—I really don't want to speculate. I think it's the kind of thing that we've—we don't know. I do think that we're sending a message—the world is sending a message to Iran that Iran cannot be a legitimate participant in international—the international system, international politics, and pursue a nuclear weapon. And I would hope that that would have an effect on—

Senator BIDEN. Well, we did—

Dr. RICE [continuing]. —whatever regime there is in—

Senator BIDEN [continuing]. —that, and—

Dr. RICE [continuing]. —Iran.

Senator BIDEN [continuing]. —and you did it very successfully, along with our European friends, who had initiated it, with regard to Qaddafi. But, as I said earlier, there were significant carrots in the Qaddafi, quote, "deal." And I fully supported what you did, and I think it was a great success.

Now, the EU 3, the European community, has approached this in a slightly different way than we have, with a slightly different emphasis. And I asked you about that in my questions to you, written ahead of time, and you said, in answer to the question about our participation with the EU 3, you said, among other things, "The United States Government is not a party to the EU 3's ongoing dialogue with Iran. We believe that additional bilateral and multilateral pressure, including reporting Iran's noncompliance to

the U.N. Security Council, will be required to persuade Iran's leadership to end its sensitive nuclear fuel cycle pursuits. We will continue to consult with our friends and allies toward this end."

Now, my question is, why do you think it is not—or is it that we are not welcome, or is it not profitable to be actually engaged with the EU 3 as they proceed now? Because the likelihood of the U.N. Security Council—maybe you have more faith in the U.N. Security Council than I do—but the likelihood of them concluding that Iran is in noncompliance and imposing broad sanctions—we're already sanctioning the heck out of them—I wouldn't want to bet anything on that.

So I'm confused. Why are we not prepared to engage in the process and talk about what carrots we may be willing to offer in return for a cessation of their nuclear program and their missile program? Is there some philosophic reason for that, or is it a practical reason or what's the reason?

Dr. RICE. Well, we do have a number of other problems with Iran, not just the nuclear problem. And I think that the future of Iranian relations—U.S./Iranian relations—rests, not only on the nuclear issue, but at other—a number of other issues, too—terrorism, our past—their human-rights record.

The way that we've chosen to do this is that Europeans work very closely with us, and they—we are trying to see if, indeed, the process that they're engaged in is going to bear any fruit.

Senator BIDEN. I understand that. And I think you've given me a straightforward answer, and I want to make sure I don't misunderstand you. When I talk to our European friends, who are the three, their foreign ministers and/or their parliamentarians who are engaged in this, what they say to me is essentially what you just said. I think the Europeans would be willing to cut a deal with the Iranians now, relating to economic help, if there was a verifiable forswearing of production of nuclear weapons and a missile program. But the truth is—and I'm not being critical, I just want to make sure I understand it—even if they did that, as long as they were continuing to support Hezbollah, as long as they were exporting the efforts to destabilize Israel, and as long as they were engaged in human-rights abuses, then the administration's position would be—even if the Lord Almighty came down and said, "We guarantee you we can verify this, guarantee we can verify a compliance with no nuclear weapons and no missile technology,"—we still wouldn't go for that deal, would we?

Dr. RICE. Well, I think we would have to say that the relationship with Iran has more components than the nuclear side, but let's see how far the Europeans get, and—

Senator BIDEN. Well—

Dr. RICE [continuing]. —take a look at—

Senator BIDEN [continuing]. —I appreciate—

Dr. RICE [continuing]. —where we are.

Senator BIDEN [continuing]. —that. I would just suggest that we have a real relationship with China, and their human-rights abuses are terrible. The watch group looking at Russia has now put Russia in the category—I can't find the exact quote, my staff has it—of being non-democratic. We continue to have a relationship with them. And my worry is—I'll be very blunt with you, with re-

gard to both Iran and Korea—is that I’m not sure we’re ready to take yes for an answer. I don’t know whether they would go forward. But I do believe one thing firmly, that there is no possibility of any fundamental change in the nuclear program in Korea or Iran, absent the United States actively, deeply engaged in the negotiation. We’re the 800-pound gorilla. We’re the outfit, they want to know where they are, where we are. And it concerns me that we say the single most dangerous thing—as my friend from Illinois said—and that both candidates agree, the most single-most dangerous thing in the world is the spread of nuclear weapons and their possible access by the bad guys beyond the nation-states.

We seem to be able to delineate when we deal with Russia. We seem to be able to delineate when we deal with China. I would argue the human-rights abuses in China are not fundamentally different than human-rights abuses in Iran. By the way, it was Freedom House who categorized—I know you guys know this, I couldn’t remember the outfit—that now labels Russia as, quote, “not free.”

As my grandpop used to say, the horse may not be able to carry the sleigh that you all are insisting on, but at any rate, thank you very much.

The CHAIRMAN. Thank you, Senator Biden.

Senator Hagel?

Senator HAGEL. Mr. Chairman, thank you.

Dr. Rice, can you share with us what diplomatic initiatives President Bush will be carrying to Europe next month?

Dr. RICE. Well, we are working, currently—and, indeed, discussing—with our European allies how we might structure this very important trip. I think what we want to do, and what the President wants to do, is to unite this important alliance behind the kind of great goals that we all have. And there is a calendar that permits some potential movement on the Middle East. We can hope for that. For instance, there’s a conference in London on March 1st that Prime Minister Blair is hosting. And that should, therefore, provide an area where, in the runup to that, which the President’s trip will be, we can have a discussion about how we move forward on Middle East peace. I think we will want to have a discussion about how we move forward on Iraq in the wake of elections. Elections will have just been held. What are the tasks? Who’s going to play what role? What, with a new government in place, we can do to support that government. I would hope we would also look for concrete movement on the broader Middle East agenda.

The Forum for the Future was a great success, but we need to keep moving that forum forward so that it doesn’t just become a place where we get together, kind of, every six months and talk.

I would characterize it this way, Senator Hagel, that what we’ll try to do is to focus—and when I talk to my friends in the Transatlantic Alliance, they agree with this—focus the Transatlantic Alliance on what we’re going to do together. We’ve spent a lot of time talking about “the” Transatlantic Alliance. We’ve actually spent a good deal of time transforming some of its elements, like the changes that we’ve made to an expanded NATO, over time, giving it a rapid-reaction force, and so forth. But it’s now time to put this great alliance to work in the service of the great causes that we

have ahead of us. And I think that's really the agenda, is to enlist, unite, discuss how we move ahead together on what is really, kind of, the agenda of our time.

Senator HAGEL. Might that agenda include climate change?

Dr. RICE. We will certainly be in discussions with the—with our allies on this issue, because Prime Minister Blair has made it a discussion issue for Gleneagles in the G8. And so, we will want to work with them. I don't know how much will be done on this trip, but this is in—a set of discussions we've already begun to have. I know of your interest in this, Senator, and perhaps we can talk more about it.

There are technological initiatives that we have with a number of countries in the world. There is a Methane Emissions Initiative that we have with a number of countries in the world. What we, in the developing—developed world need to realize is that we need to have an approach to this that is growth, energy, and environment, because we're going to have to bring onboard the large developing states, like China and India, if we're going to be able to approach the issues of climate change.

So it will certainly be an—a subject for discussion, and eventually an initiative. Whether, on this trip or later, as we prepare for Gleneagles, I think we'll have to see.

Senator HAGEL. Well, I—as you know, and you mentioned when you and I had an opportunity to visit a little bit, I told you that I was going to introduce comprehensive climate-change legislation. I've been working with Chairman Lugar and others over the last few months on this. And I also, as you know, met with Prime Minister Blair last month, in London, on this. So I would hope, especially in light of what Senator Murkowski noted, and others, this morning, that this would get some attention, because I do think climate change is one of those areas where it's value-added for relationships, especially diplomacy. And so diplomacy, and some efforts—and I hear that, incidentally, from many from of our friends around the world. So thank you.

Dr. RICE. Thank you, Senator. And I will work you. I know we're spending \$5 billion on this issue. And so, I think—

Senator HAGEL. I know it.

Dr. RICE [continuing]. —we have something to bring to the table.

Senator HAGEL. No—well, the record is actually very, very positive. It's just that we have not explained it very well.

Dr. RICE. I agree with you there.

Senator HAGEL. And I think we have an opportunity to do that.

Speaking of explaining records, we spent some time this morning on public diplomacy. You thoroughly noted how important it is to you and your efforts, in your statement this morning, as well as in our private conversations. Can you share with this committee any new initiatives that you are thinking about in the area of public diplomacy at the State Department?

Dr. RICE. Well, I would like to do a couple of things. First of all, I have to get there and look at the structure. There have been a number of studies of what to do about the structure. I've had the chance to talk to Ed Djerejian, I've had a chance to talk to Davie Abshire, I'm going to talk to others who have been a part of these

studies, because we need to look at how the—Washington works with the field. As I said, public diplomacy's done in Amman, not in Washington. And so, we're going to look at that set of issues.

I think we will need to—we have some very effective cultural and educational exchange programs. I think we need to look at how we leverage those, move those forward. Are we doing enough, particularly in the Muslim world and in places like Indonesia and countries that we have, unfortunately, been not very active in recent years? What more can we do? And so, I would hope to have some initiatives on that score, too.

So both structure and through initiatives, I would hope to make a very early push to demonstrate that—we have fine professionals in this field. I'm quite certain of it. But this is something that we once really knew how to do, during the Cold War. We somehow lost our ability to do it as effectively as we once did. And we broke up a lot of the apparatus when we thought we—the end of history had come. And now we are going to have to look at what we need to reestablish in order to be able to do the job. And, again, I think this is an area where I would hope to have considerable input from Members of the committee.

Senator HAGEL. Well, I think you will not have to ask twice on that. You've received some indication of this committee's interest. And I think, under Chairman Lugar and Senator Biden's leadership, it has been a high priority over the last few years, and it needs to be revisited. And I think the entire committee is very pleased that you have put this on your list, on your agenda, as a high priority.

United Nations. It was mentioned here earlier during our hearing, but, in particular, what types of reform, at the United Nations, would you be looking for and will you help lead?

Dr. RICE. Well, we are digesting the High-level Panel Report, at this point. And we're going to put a lot of attention on consultations with countries around the world about that report. It's something that I've discussed with Kofi Annan, and that he's asked of us to make an effort.

Obviously, there are two kinds of reforms, simply those that will make the U.N. work better, in terms of management—and we've long had an interest in those. I think we need to pursue them. We also, obviously, want the U.N. to have the kinds of structure and tools that it needs to face the threats and the opportunities of the 21st century.

And I know there's a lot of discussion of Security Council reform. I don't think we have any particular perceived wisdom right now on how to do that, except to say that there needs to be a look at where we are, in terms of the representation in the U.N. bodies of countries that are contributing a lot.

Even outside of the United Nations, there are a number of rising influential democracies, like India and Brazil and South Africa, that we just need to be working more with on all kinds of issues. And I hope that we can pursue that at the same time that we look at what the structure of the U.N. may look like.

Senator HAGEL. Thank you.

There has been considerable discussion today about proliferation of weapons of mass destruction; in particular, nuclear proliferation.

Little conversation, so far, about bioterrorism. Do you think it would be in our interest to initiate an effort to develop some kind of an international model—using CDC, Centers for Disease Control, as an example—where all nations could, in some way, work together through that international body, which—not unlike some of the nonproliferation treaty efforts, although we’re seeing, I think, necessary refinements, and probably reforms, in that, if that can happen. But if you would speak to that kind of an idea, about maybe a CDC international model for bioterrorism.

Dr. RICE. It’s a very interesting idea, Senator. We should definitely explore it. Homeland Security people have had some discussions with their counterparts around the world about the bioterrorism threats, because it’s obviously one of those threats that could be quite borderless and quite stateless. And so, we have had some discussions of that. But a more concentrated international effort that deals with all of the elements of bioterrorism detection, prophylactic efforts that might be undertaken, and then, heaven forbid, consequence management, I think this is something that should be put on the international agenda, and we’ll look at various ways to do that.

Senator HAGEL. Thank you.

Mr. Chairman, thank you.

The CHAIRMAN. Thank you very much, Senator Hagel.

Senator Sarbanes?

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

Dr. Rice, I’m going to run through a series of questions, and maybe we can move very quickly, and then I want to come back to the economic questions, as well.

First of all, if you were Secretary of State, how much discretion or authority would you have in filling positions within the State Department?

Dr. RICE. I work very closely with presidential personnel, but I have to say that the folks have been very understanding of the fact that I have to have a team that is a team that I can work with and that’s my team.

Senator SARBANES. But your selections have to clear Presidential Personnel?

Dr. RICE. Well, these are presidential appointments, at least the ones that are presidential appointments.

Senator SARBANES. I know it’s been written so often about how close you are to the President, but you don’t have, as it were, the kind of a vote of confidence or commitment to you from the President that you can go ahead and fill these positions yourself.

Dr. RICE. Senator, it’s been just very easy to work through Presidential Personnel. It’s just not been an issue.

Senator SARBANES. Well, if there were an issue, though, you don’t have that kind of commitment, is that correct?

Dr. RICE. These are appointments by the President. And so, I think it’s a perfectly appropriate role.

Senator SARBANES. I understand the answer.

My next question is, I’ve always been curious to know the rationale why a National Security Advisor will not appear before the Congress to testify and answer questions, but goes on the news programs or appears at the Press Club and, at the end of it, says,

“Now I’m open to take your questions,” and then proceeds to answer questions on the public record in front of the public. Now, what is the rationale for that? Why doesn’t the National Security Advisor respond to the Congress?

Dr. RICE. Well, the rationale, Senator, has been a couple of things—first of all, that there is a separation of powers, and the President’s staff is, to him, in the executive branch, private counsel. When you go on—

Senator SARBANES. Well, it’s not very private counsel when you go on the national media shows, appear publicly, and answer questions in that forum. I’d have a little more understanding of the rationale if you didn’t do that, if you limited yourself to giving private advice to the President, and turned down the interviews. But you depart from that, and you go outside in very public fora and make these appearances and answer questions, and won’t come to the Congress.

Dr. RICE. Senator, it’s a longstanding practice of every National Security Advisor. I have actually been here to answer questions of the whole committee at one point, but also Senators and groupings of Senators, but not in testimony. It’s a line that National Security Advisors have kept as private advice to the President, as presidential staff. And I—National Security Advisors have also, of course, gone on television and made public appearances.

But in terms of the line between the executive and the legislature, the President’s staff has simply not been subject to congressional testimony.

Senator SARBANES. Well, what’s your position on appearing before the Congress if you were the Secretary of State? How can we be confident that you would engage in frequent, thorough, and meaningful consultations with this committee?

Dr. RICE. Well, Senator, I would no longer be staff to the President if I’m confirmed. I’ll be the Secretary of State if I’m confirmed, and that is a Cabinet officer with—who’s been confirmed by this body. And, it seems to me, at that point, it is not only perfectly appropriate, but only right, that the Secretary of State and other members of the Cabinet, as well as other members of the State Department, respond positively to requests to testify whenever possible.

Senator SARBANES. Is it your view, then, that Secretary of State would not invoke executive privilege in testimony before the Congress?

Dr. RICE. Well, I believe that the Secretary of State would come and testify before the Congress, and testify fully. Whether a Secretary of State might choose to keep private some conversation that that person has had with the President or not, I think that’s another matter. But certainly the Secretary of State would appear before this body and others on a regular basis, and it has been—

Senator SARBANES. What’s your sense of your responsibility, if you were the Secretary of State, to deal with the Congress in a nonpartisan or bipartisan manner, however one wants to describe it? I’m prompted to ask that question by the fact that you did, at one point, make a rare trip to Capitol Hill for separate closed-door briefings with Republicans and Democratic lawmakers, if you recall that. You met with Republican representatives for well over an

hour, did not meet with the House Democrats—met only with the Republican members of the House. You came to the Senate side, had a lengthy meeting with Senate Republicans, and then a very brief meeting with Senate Democrats, caught short by a vote that was scheduled by the leadership, I guess. But, in any event, there was a marked difference in the extent of the meeting and the consultation between Republicans and Democrats.

Presumably, as Secretary of State, you wouldn't intend for anything of that sort to happen, I would take it.

Dr. RICE. Senator, I will conduct this in a completely bipartisan way. Let me just say that—I will check, but I believe that we've generally offered to both sides in both—both sides of the aisle and both houses, and I was prepared to stay in that Senate meeting as long as desired. But, as you said, it was cut short by a vote.

Senator SARBANES. Well, what about the House side?

Dr. RICE. I believe we offered, but I will check to see. Because it was my view that the National Security Advisor also needed to deal in a bipartisan way, and I believe I've dealt with Members of the committee, Democrat and Republican.

Senator SARBANES. Ordinarily, at the start of each new Congress, the administration conducts a review of signed treaties to determine which ones to send as priorities for Senate advice and consent to ratification. The administration did not submit a treaty priority list to this committee in the 108th Congress. Are there plans or intentions to send up a list of treaty priorities to this new Congress?

Dr. RICE. There are plans to do so, Senator. We will.

Senator SARBANES. You plan to do that.

Dr. RICE. We plan to do that, yes.

Senator SARBANES. Now, let me ask you to come back to the economic questions. Do you think it's to America's advantage for the dollar to be the world's main reserve currency?

Dr. RICE. Senator, I'm going to demur here. I will think these questions better asked of the Treasury. I have a strong interest in our economic well-being. I have a strong interest in what I can do, as Secretary of State, to promote our economic well-being, particularly through free trade and through the establishment of good partners in trade and a level playing field in trade, but I really don't feel that I should comment on currency matters.

Senator SARBANES. Well, it goes back to our discussion this morning. I, frankly, concluded that round with some concern, because you kept talking about the President's economic team, as though that's something separate and apart from the concerns or the responsibilities of the Secretary of State, even though at one point you stipulated that the strength of America's economy is fundamental to its ability to assert strength in the world. And these all play together.

And I mentioned a book, this morning, "The United States of Europe: The New Superpower and the End of American Supremacy," and one of the points made in that book is that the euro was specifically designed to challenge the global hegemony of the dollar.

And, of course, we've seen the value of the euro rise very substantially in recent times. In fact, we now know, in 2001, Middle Eastern oil-producing countries kept 75 percent of their currency reserves in dollars. Now, that figure is now 60 percent—it's

dropped substantially—with much of the rest of it in euros. And Chinese and Russian central bankers are also shifting their reserves.

Does this cause you some concern?

Dr. RICE. Senator, there are many reasons for what has happened to the relationship between the euro and the dollar, but, again, I really think it best that I not comment on currency matters. I will do what I can, as Secretary of State, to try and enhance the prospects for a strong American economy. I think I can do that principally through the promotion of free trade, through the promotion of a level playing field, in using the diplomacy to carry economic messages, when we need to do, as we've done, for instance, with the Chinese on intellectual property rights. I'll be an active and interested participant, but there are some matters that I really feel are best left to the Treasury, and that's the commentary on—

Senator SARBANES. Last month, China's president, Hu Jintao, embarked on a 12-day tour of Latin America. He wound up making commitments to invest \$30 billion in the region. China is now Brazil's second largest trading partner, and Chile's largest export market. In trade, technology, investment, education, and culture, China has been displacing the United States all across Asia, and it's now starting to do the same in America's backyard. Are you concerned about this expansive China?

Dr. RICE. Well, this is an area that I think bears some watching and some activity, and I would work very carefully and very closely with those in trade and economics to try and deal with this. We do face a rising China. There is no doubt about that. And the way that we've tried to deal with the fact that China's economic strength is growing, and that China's influence is growing along with its economic strength, and its penetration of markets and its own market are growing exponentially, is to embed China in the World Trade Organization, and to make certain that it lives up to the rules of a rule-based international economic system. And we have a lot of work to do, because China is not always completely attentive to some of its obligations under the World Trade Organization.

The other thing that we can do, Senator, is that we can assert our still-considerable global reach and our still-considerable regional influence through organizations like APEC, which we attend, and which we are nurturing, and which we are pushing forward with a very active agenda. We have had problems with ASEAN because of the presence of Burma, but we have had meetings and discussions with the countries of ASEAN.

I was in China, Japan, and South Korea in June of this past year, and I will say that I think most of the countries of Asia look to us to continue to be a major influence and an active player in Asia, because they don't want to see China "supplant," quote/unquote, the United States. We also have to remember that the Chinese economy, for all of its vigor and all of its robustness, is still a developing economy whose size is not going to approach the size of the American economy for quite a long time. It is a China that is dealing with tremendous difficulties with inequities between its interior regions and its coastal regions. It is still a developing econ-

omy. And while it is a huge market, and is doing very well in our own markets, I think it's important to recognize that it is a—at a different stage of its economic development than the United States.

Senator SARBANES. Well, it's interesting, because they seem to be doing pretty well, if that's the case. I mean, our accumulated debt to foreign investors is now 28 percent of our gross domestic product. That's nearly double the share of four years ago. And most of it is being funded by borrowing from foreign central banks, primarily those of Japan and China. In fact, it's staggering, the increase of foreign official assets in the United States.

Mr. Chairman, in closing, I would just note that, in the 1990s, the U.S. admonished Mexico and Argentina to get their economic houses in order. This month, the Chinese premier gave Washington a similar lecture. And by not taking the important corrective measures we need to take with respect to our economy, we're running up these large trade imbalances and becoming increasingly dependent on the kindness of strangers. We're in their hands. And I can't help but believe that this will be brought to bear in other areas of the U.S.-China relationship, if and when it becomes relevant.

Dr. RICE. Well, Senator, I agree with you, and I think the President would agree, that the issue is for the U.S. economy to be as strong as it possibly can, and as competitive as it possibly can. And there are a lot of measures being undertaken to do that. My role, I think, will be to try and enhance our economic growth and our economic strengths through our openness in trade, but also by making certain that those with whom we trade are dealing with us on a level playing field. And I'll be completely dedicated to that.

Senator SARBANES. Thank you, Mr. Chairman.

The CHAIRMAN. Well, thank you very much, Senator Sarbanes.

Let me just indicate, Dr. Rice, that I appreciate the point you're making as to what the scope of the State Department may be, and your role. But I would have to agree with Senator Sarbanes. The issue that he's touching upon—and this would be the subject for a couple of days of good hearings—is profoundly important. It finally comes down to how we're going to pay for our foreign policy. We have reached a critical juncture, given the circumstances of the foreign exchange situation, our own exchange rates, and so forth.

I suppose that we are taking advantage of the fact that you are perceived as a super-competent person and are perhaps prepared to take all of this on, on behalf of the President. But I would encourage you to visit with the President about this—you probably have—because I'm sure we'll all be getting back to it again and again. We'll not be able to solve it today, but I would just underline that there are some dynamics here that all of us find difficult to comprehend—the growth of China, the growth of India as economies, a third of the population of the world going out now to try to find energy resources everywhere, maybe sucking up the resources of the world. This is good for the soybean farmers of Indiana, and we're grateful for everything that comes along that way. But it's nevertheless going to be tough, with regard to energy and other things.

I don't want to take more time, but I was moved by what Senator Sarbanes is saying, because he works over in the Banking Committee. Other Members of this committee are active in that area.

And we have interchanged disciplines in our own way, as you do. But please, if you can, take under advisement our conversation today.

Dr. RICE. Absolutely. Thank you, Senator. I will.

The CHAIRMAN. Senator Chafee?

Senator CHAFEE. Well, thank you, Mr. Chairman. And I agree with your comments and Senator Sarbanes' comments also, concerning on the financial issues, particularly the rise of the euro and the potential for OPEC to move in that direction. It could be alarming.

Thank you for your time. Your stamina and your breadth of knowledge are both remarkable. In fact, at the lunch we were joking that we're going to find an obscure country to ask you about.

But we agreed it would be futile, you'd know all about it.

And I'd like to follow up on some of Senator Biden's comments about what seems to be a hypocritical approach to our foreign policy, in some ways; in particular, how we deal with some of those democracies, such as Russia, Senator Biden said, uneven or undemocratic or some of the Turkmenistan, Uzbekistan, Tajikistan, even Musharraf—President Musharraf, and then, on the other hand, have a completely different view of, say, Iran, as Senator Biden was saying. It seems as though we magnify our differences, on the one hand, and then, on the other hand, we magnify our similarities.

In particular, after having just come back from South American and meeting with President Chavez—here he has been—gone before his people—high, high turnout, just had a referendum. And, as one of the people from our embassy said, “He cleaned their clocks and kicked their butts.” And it seems to me to say derogatory things about him may be disrespectful to him, but also to the Venezuelan people. How do you react to that?

Dr. RICE. Well, I have nothing but good things to say about the Venezuelan people. They are a remarkable people. And if you notice, Senator Chafee, I was not making derogatory comments, I was simply recognizing that there are unhelpful and unconstructive trends going on in Venezuelan policies. This is not personal.

Senator CHAFEE. And there aren't in Tajikistan, Uzbekistan—

Dr. RICE. And we—

Senator CHAFEE [continuing]. —and Russia and—

Dr. RICE [continuing]. —and we speak out about those—

Senator CHAFEE [continuing]. —Pakistan?

Dr. RICE [continuing]. —we speak out about those, as well. But some of this is a matter of trend lines and where countries have been and where they are now going.

Senator CHAFEE. Are their government's unconstructive?

Dr. RICE. Well, the Russian government is not unconstructive in a lot of areas. It's quite constructive in many areas. It's been more constructive on Iran in recent years. It is constructive on—to a certain extent, in trying to deal with the kind of Nunn-Lugar issues that we've talked about. It's been constructive in Afghanistan. It's constructive on a number of areas. But that doesn't excuse what is happening inside Russia, where the concentration of power in the Kremlin, to the detriment of other institutions, is a real problem. And we will continue to speak to the Russians.

I think we do have to remember, that is also not the Soviet Union. The Russians have come quite a long way from where the Soviet Union was, and we need to always keep that in mind when we judge current policies. But where they're going is simply not very good. It is something to be deeply concerned about, and we will speak out.

And countries are going to need—going to move at different speeds on this democracy test. I don't think there is any doubt about that. But what we have to do is, we have to keep the agenda—keep this item on the agenda. We have to continue to press countries about it. We have to support democratic forces and civil-society forces wherever we can.

I would just note that Ukraine, I visited in 2001, not long after I had become National Security Advisor. And I, frankly, when this happened, in Ukraine, was pretty stunned by how effective civil society was and how effective the Ukrainian people were in making their voices known. Some of that is because we and the EU and others have spent time developing civil society, developing political opposition, working with people, not to have a specific candidate in any of these countries, but to have a political process that's open. And we have to do more of that.

We're going to spend some \$43 million this year—I believe that's the number—on Russian institutions, trying to help, for the development of civil society there. We need to do more of that kind of thing, because, while we put it on an agenda, while we confront the governments that are engaged in nondemocratic activities, we also have to help the development of civil society and opposition.

Senator CHAFEE. You and Senator Boxer were having a little bit of a debate over credibility. And, to me, it seems as though trust is built with consistency. Is it possible for you to say something positive about the Chavez administration?

Dr. RICE. It's pretty hard, Senator, to find something positive.

Senator CHAFEE. I don't understand—

Dr. RICE. Let me say—

Senator CHAFEE [continuing]. —that.

Dr. RICE [continuing]. —this.

Senator CHAFEE [continuing]. —After—

Dr. RICE. Let me say this—

Senator CHAFEE [continuing]. —after—

Dr. RICE. Let me say this—

Senator CHAFEE [continuing]. —Tajikistan, Pakistan, Russia—

Dr. RICE. No, what—

Senator CHAFEE. It seems as though, as I say, magnifying our differences to some countries, and magnifying our similarities with others. And, as I said, I think trust is built with consistency. I don't see consistency—

Dr. RICE. Well, the—

Senator CHAFEE [continuing]. —in some of your comments.

Dr. RICE [continuing]. —the state of behavior in the Western Hemisphere, or the state of affairs in the Western Hemisphere, is such that we've had democratic revolutions in all of these places, and we don't want to see them go back. We have some places

where the democratic revolution is still to place. And we just have to understand that there are differences in that regard.

But I have said, we hope that the Government of Venezuela will continue to recognize what has been a mutually beneficial relationship on energy, and that we can continue to pursue that. We certainly hope that we can continue to pursue counter-drug activities in the Andean region, and Venezuela participates in that.

But I have to say that, for the most part, the activities of the Venezuelan government, in the last couple of years, have been pretty unconstructive.

Senator CHAFEE. Well, thank you very much. I'll go back to what I said earlier. It seems disrespectful to the Venezuelan people. They have spoken.

Dr. RICE. Thank you.

The CHAIRMAN. Well, thank you, Senator Chafee.

Senator Dodd?

Senator DODD. Thank you very much, Mr. Chairman. I'll try and move along in this, as well.

Let me just pick up on the—one of the points that Senator Sarbanes was raising earlier with you, and that is, of course, the apparent contradiction, obviously, of having an NSC advisor not be able to appear with any regularity before the committee, and then appearing with rather significant regularity on national television. I'll also note—and I'm sure you're not the first NSC advisor to do this—but, just in the fall of this year, according to some staff work here, that you made some ten speeches in the fall of this year in battleground states, I guess, except one, involved in the politics. And I always—I know that the Secretary of State, historically, is not Secretary of Defense, and I commend Senator Powell and Senator Rumsfeld for not having been involved in the campaign. Would you make a similar commitment? Obviously, there—the President doesn't run again, but, obviously, there are midterm elections. And would you share with us your opinion on whether or not it's wise, given the historic efforts to try and create bipartisanship when it comes to foreign policy, to have an NSC advisor out on the campaign trail, and certainly as Secretary of State. Can you quickly give us some sense of where you think that ought to—

Dr. RICE. Certainly. As National Security Advisor, I spoke a lot, actually, and I tried to get outside of Washington to speak. I went—

Senator DODD. Were these campaign stops?

Dr. RICE [continuing]. —I went to places that were non-partisan. I went to places like world-affairs councils and universities. Anybody could come. I was thoroughly questioned about American foreign policy, and I thought it only appropriate, at a time in which we were at war. They were not a part of the campaign, and I think the fora that we chose would demonstrate that.

But you can be certain that I will respect the tradition of this office, of Secretary of State, should I be confirmed. I think it has to be bipartisan. I think it cannot be political in any way. And I, in my comments, mentioned how important I thought bipartisan foreign policy is, and I'll do everything that I can to make—

Senator DODD. I don't want to dwell on it, but it's an important point. And, again, I'm not sure what the precedents are of those

who have preceded you in the office as NSC advisor. But I think it is bad business, in those periods, to get involved in this stuff. It does create problems, and I think it's a wiser course to follow.

Let me quickly jump to the issue of the Justice Department's opinion memos regarding torture in interrogation. In a response to a question for the record, you indicated that the Justice Department opinion memos on torture in interrogation were provided to the National Security Council for review by staff, in draft form. And you indicated that the response—that you were not involved in reviewing the draft opinion. Just a series of three or four questions, if I may.

Did you ever read the opinion?

Dr. RICE. I did not read the opinion.

Senator DODD. And did you have a view at the time about them at all?

Dr. RICE. Senator, I did not think it my role to try and give legal advice to the President, but that legal advice was then discussed in a policy context. And, at that point, the policy of how we would treat detainees in this new kind of war—and we did face a very difficult and different circumstance. I mean, you were dealing with al Qaeda on the battlefield, people—

Senator DODD. Yes.

Dr. RICE [continuing]. —who were not living up to the laws of war. This is a different kind of combatant. People like Khalid Sheikh Mohammed and people who were—who plotted 9/11 and clearly were not part of any organized army. We did have a series of difficult choices to make, but—

Senator DODD. You were aware, I presume, of the State Department concerns at that time about these memos?

Dr. RICE. I was aware. And, in fact, we made certain that, before the President made a final decision on this matter of how Geneva would be applied, that he had the advantage of hearing from all of his advisors.

Senator DODD. Do you want to share with us what your opinions were?

Dr. RICE. Senator, I gave my advice to this—to the President on this matter, and I really would prefer not to talk about what advice I gave him. He came out in a place that I think was consistent with both living up to our international obligations and allowed us to recognize that the Geneva Conventions should not apply to a particular category of people. Now, when we got to Iraq, there was no question that the conflict itself was covered under Geneva. Iraq was a signatory to the Geneva Conventions, and we believed that the conflict was, therefore, covered.

Senator DODD. Let me just ask you very briefly about—what are your views? Let's get to the bottom of this—we can fool around with the language here, but what are your views on things like waterboarding and nudity? What are your views on that? Is that torture, in your view, or not? And should it be—should the United States stay away from that activity, or is that—do you have a—sort of, a mixed view on that? I'd just like to get some sense—

Dr. RICE. Senator, under no circumstances should we, or have we, condoned torture. And the President has been very clear that he expects everyone to live up to our international obligations and

to American law. And the Justice Department makes a determination on any interrogation techniques that are used, that they have to be consistent with our international obligations and with American law. I—

Senator DODD. You're familiar now, aren't you, with—

Dr. RICE. No.

Senator DODD [continuing]. —the draft opinion that was submitted? Just tell me what—now that you know what the draft opinion was, not according to what you thought at the time, would have raised objections to it, had you been aware of what was included in that?

Dr. RICE. I didn't say I wasn't aware of what was in the opinion; I didn't read the full opinion, Senator. But I believe that the President, as a policy matter, decided that, in order to protect American interests, but also in order to live up to our obligations, internationally, even though this was a very different kind of war, a different kind of set of circumstances, that the right policy call was to treat the detainees, even al Qaeda detainees, consistent with our obligations—or consistent with the principles of Geneva, consistent with military and security necessity. And I think that was the right call. And it—I just can't emphasize enough how difficult it is when you're dealing with a totally new set of circumstances.

Now, we have talked about what we might to do engage the—

Senator DODD. Let me just come back to the—just want to make—this is a simple question.

Dr. RICE. Yes.

Senator DODD. Is it your view, as a human matter, is waterboarding and the—uses we saw in the prisons in Iraq, of nudity, is that torture, in your personal view, as a nominee here for the—

Dr. RICE. Senator, I'm not going to speak to any specific interrogation techniques, but let me talk about Abu Ghraib, because that was not acceptable—

Senator DODD. I'd like to just get your views on this simple matter. It's a simple question I'm asking.

Dr. RICE. Well, you asked me about the incidents in Iraq, and—

Senator DODD. I asked you about some very specific techniques that we used, whether or not you consider them to be torture, or not.

Dr. RICE. Senator, the determination of whether interrogation techniques are consistent with our international obligations and American law are made by the Justice Department. I don't want to comment on any specific interrogation techniques. I don't think that would be appropriate, and I think it would not be very good for American security.

Senator DODD. Well, let's leave it. That's your answer, there. It's a disappointing answer, I must say. And this is a very—the face of U.S. foreign policy is in the person of the Secretary of State, and it's important, in moments like this, to be able to express yourself, aside from the legalities of things, how you, as a human being, react to these kinds of activities. And with the world watching when a simple question is raised about techniques that I think most people would conclude, in this country, are torture. It's impor-

tant, in a moment like that, that you can speak clearly and directly, without getting involved in the legalisms questions. I understand these involve some legal determinations. But, as a human being, how you feel about this, about to assume the position to be responsible for pursuing the human-rights issues that this nation has been deeply committed to for decades, it is a very important moment.

Dr. RICE. Senator, I maintain the commitment, and will maintain the commitment, of the United States to norms of international behavior and to the legal norms that we have helped to—

Senator DODD. Let me ask you this, then. What would happen if someone did this to an American? What would happen if we saw it on television, that a captured American was being subjected to these kind of activities? How would you react to it?

Dr. RICE. Senator, the United States of America—American personnel are not engaged in terrorism against innocents—

Senator DODD. I wasn't asking what they have been charged with; I'm asking whether or not, if you saw an American being treated like this, how would you react?

Dr. RICE. We expect Americans to be—because we are parties to the Geneva Conventions, we expect Americans to be treated in accordance with the Geneva—

Senator DODD. Of course we do.

Dr. RICE [continuing]. —Conventions.

Senator DODD. And so you consider these kinds of activities to violate the Geneva Conventions?

Dr. RICE. We believe that there are certain categories of people—the al Qaeda, for instance—who were not covered by Geneva, that, in fact, it would have been a stretch to cover them under Geneva, would have weakened Geneva to cover them. But the President said that they had to be treated, as military necessity allowed, consistent with the application of Geneva—

Senator DODD. Do me a favor, at the end of all these hearings, I'd like you to spend about 15 minutes with John McCain and talk to him about this stuff. I think you'll get some good advice, when it comes to this subject matter, someone who's been through this, about what the dangers are when we have, sort of, waffling answers about these questions, and then Americans can be apprehended, and what happens to them?

Let me move on, because I don't want to take up the committee's time on this particular point, but I'm troubled by your answer.

Now, let me ask you about, if I can, the HIV/AIDS issue. Let me move to the Caribbean again, come back to the—this region of the world. During the consideration of the legislation on 2003, I attempted to add countries to the HIV/AIDS legislation—Caribbean countries. And let me tell you why I did. We have a staggering percentage, high percentage, of people in the Caribbean who are HIV-positive. I know we do a lot already as part of this program in Guyana and Haiti, but—and I won't list all of the island nations in the Caribbean—involving some 600,000 people who have almost as high a rate of AIDS contamination as some of the most seriously affected countries in Africa. And yet we've left these countries out because we never passed the legislation. It's an important issue. I

won't go through all the details with you here, but there are ten million Americans who visit these island nations, not to mention the tremendous number of people who come to our own country, far more so than have contact with some of the nations that are very adversely affected in Africa. And I would hope that you might, as we look at these programs here, expand the coverage to these countries.

The average—today, the average Haitian man can expect to live only 47 years; the average woman, 51 years. It's the single highest cause of death in the Caribbean nations for men under the age of 45. It really deserves far more attention than it's getting. Do you want to—have a quick answer, a quick response?

Dr. RICE. Yes, just that the President's emergency plan was intended to deal with the 14 and then 15 most affected countries. I think it's an excellent plan. And if we meet our goals, we will be providing treatment to two million people, and preventing seven million infections, and getting ten million people into contact with educational and other programs. And it's a very fine program. It's not all that we do. We do a lot of other assistance, bilateral assistance. Some 85 or so countries are affected by the assistance that we give. And, of course, the global fund, to which we are, by far, the largest single contributor, is also very active in that.

I think we've made a very big step forward. I know Senator Kerry and others have been long proponents of an international effort on AIDS. We have made a major breakthrough in the President's emergency plan. We wanted to have a number of countries where we could worry, not just about the disbursement of money, but about helping to build delivery systems that would actually get the job done. But I would just emphasize that it's not the only assistance that we give.

Senator DODD. Take a good look at this, please. The Dominican Republic is on the same island—shares the island of Hispaniola with Haiti. Haiti is covered; the Dominican Republic is not. That's ridiculous, on its face, given that cross-contamination that occurs, with just populations that move from Haiti to the Dominican Republic, as we speak, here, because of the cane-cutting seasons and the—and, obviously, the potential there.

I see my time is expired. Let me just—just quickly, and I'll come back—I said one round, Mr. Chairman. I apologize, I may have to come back for a few more questions.

But I want to emphasize, again—I know you'll come back to this Venezuela issue, and Latin America. We've got to be thinking a bit differently. No one's going to argue about some of the decisions that have been made in many of these countries, things that they do that we find very different from how we would approach issues. But what Senator Chafee has said, I think is an accurate description, we've got to be more balanced about this view. It strikes many of us as being, sort of, domestic politics rather than foreign policy, when it comes to these issues.

I mentioned earlier, statements that have been made—it's good politics in Latin America, too often, to attack the United States. Here was our good friend, Chile, for instance, when the issue came up in the vote in the United Nations on Iraq, where we threatened them not to complete the Chilean-U.S. Trade Agreement. It was

only as a result of the intervention of Spain which put it back on track again. That word is widely known—that conclusion widely known in the region. That’s not helpful as we’re trying to build these relationships. And I’d urge you not to get caught in this mindset, sort of, to use your own experience, the Pavlovian sort of reaction to some of these people, and to try and engage in a positive and constructive way.

I’ll guarantee you that, certainly in Venezuela today, they’re watching very carefully what’s been said. That’s not to say we agree or applaud decisions being made that we would disagree with, but we need to try something differently here if we’re going to succeed in building different relationships. And I’ll want to come back to that.

But I’ve been disappointed in the way that—I don’t expect you, sort of, agree with Democrats up here, but we’ve got to be thinking in a way that shows we’re going to move where the world is headed, in many ways, looking for different ways to establish better relationships. And I want to come back to that when we finish our round.

Thank you.

The CHAIRMAN. Thank you, Senator Dodd.

Senator Allen?

Senator ALLEN. Thank you, Mr. Chairman.

I have some questions I want to get to on competition and corruption, but let me follow up on some of the cross-examination of Senator Dodd.

On the question of what—I understand you don’t want to use the word “torture,” but maybe the word “abuse” is appropriate, insofar as the conduct of our military, some of our military people in Abu Ghraib prison. Now, we all can agree that this conduct, whatever you want to call it—whether it’s “abuse,” whether it’s “torture”—the bottom line is, as far as Americans are concerned, this is a violation of our standards, standards of conduct and the expectations that we have of our government, and, therefore, the Bush administration. And not just the administration, the United States, indeed, is going after those who are culpable and are, in fact, being prosecuted and punished. Charles Grainer just received a ten-year sentence for his actions and activity, and responsibilities for it.

So I would say, Dr. Rice, that this administration and the United States Government is on record finding that deplorable, regardless of what phraseology one wants to use to describe this conduct.

Dr. RICE. Yes. Senator, let me just be very clear. I didn’t have a chance to say, Abu Ghraib was unacceptable, it was abuse, and people are being punished for that. The question came about broader detainee policies, but what happened at Abu Ghraib made everyone sick to their stomachs. And the good thing about the United States is that we actually prosecuted the people who did it, and will continue to as the investigations unfold.

Senator ALLEN. Thank you. I wanted to adduce that response, which I figured was actually was your sentiments on it. You’re getting kind of tied in all the legalistics there.

On the issue of competition that Senator Sarbanes brought up, you mentioned a fair or level playing field, I very much agree with some—many of the things Senator Sarbanes is saying, as well as

what you brushed on, generally. And the Chairman mentioned India and China being concerns, long term.

I look at India differently. India is the largest democracy in the world. We have great and strong bilateral ties with India and also, more recently, with Pakistan. Somehow we ought to be able to help continue the rapprochement with India and Pakistan.

Insofar as China, though, China is not a democracy, and China—there are concerns that you're going to be facing, as far as China, with the Europeans potentially selling arms to China. But on the area of what you mentioned, corruption—this is on page 3 of your statement—“corruption can sap the foundation of democracy.” And, indeed, if you look at the trade practices of China, they cheat on a variety of fronts—textiles, furniture—they have in semiconductor chips, as well. Mr. Zoellick, who's going to be with you, has helped prosecute some of those, to various degrees, but finally got 'em on their cheating-on-the-semiconductor-chip matter, as well as South Korea doing that, as well.

But the one area that they wholly fail, as well, in is intellectual property, and they—there's no adequate protection of intellectual property, which is stealing from Americans, their creativity, our ingenuity. I'd like your view on what we can do—and you said “corruption can sap the foundations of democracy”—and part of that corruption, in my view, would be China's unfair trade practices.

I have worked with this committee to increase funding, to train law enforcement and judicial-system systems around the world on the protection of intellectual property. We've funded—it's \$5 million to help enforce IP laws, intellectual property laws, and make these countries, many of whom are unaware, apparently, of violations, and they needed to be educated on it. I do think, though, China is educated on it. This is not a question of unknowing violations.

I would like to hear from you what steps that you can foresee the United States taking to help combat corruption in other nations; in particular, the violations and the theft of our intellectual property, which is so key to the competitiveness of our country in the future.

Dr. RICE. It absolutely is. And we have been very active—in fact, aggressive—with China about the IPR problem, trying to get them to have more stringent laws and, more importantly, enforcement when they find pirating. We make the point to them that, as they begin to invent, themselves, they are not going to want a world in which intellectual property rights are stolen, but, rather, in which intellectual property rights are protected.

I think we've gotten a little movement forward, but not enough, and we keep pressing this agenda. We are pressing the agenda, by the way, also with Russia, where pirating is a very big problem and where, actually, there have been fewer prosecutions than in China. So I think we need to press those issues.

As to the broader concerns about corruption, there is no doubt that corruption, which leads to legal systems that allow the—allow pirating of technology, allow terrorists to flourish, allow drug-runners and arms dealers to flourish, it's all a part of the same problem. And so, having police forces that are properly paid, trained, and loyal, having judges that are properly paid, trained, and loyal,

is a very important part of a wide—worldwide effort that we have to help with corruption, especially in some countries, like Nigeria—we’ve offered assistance in these ways.

We also, Senator, have tried to get the international development banks to be more concerned about corruption in the granting of aid, that when aid goes in, that it’s clear that the tax isn’t going to be a corruption tax on top of the aid that goes in. And we’ve made some progress.

Finally, in something like the Millennium Challenge account, the President’s made very clear that corruption, which is one of the indices that leads to a country being eligible or not, that corruption is an index that we ought to look at very, very carefully, because if you have a corrupt government, that aid is just going to be wasted.

Senator ALLEN. Well, thank you very much. I look forward to working with you, and I know this whole committee will, on this issue of protecting intellectual property rights and the issue of corruption, as well, because it does undermine freedom and democracy and the respect for the rule of law.

Finally, let me just bring up this area of question, and this is South Caucasus, or the Black Sea, area. I’ve been one who believes that we ought to be looking at maybe basing more of our NATO forces in the Black Sea area, closer to the Middle East, the areas that are of greatest concern because of the proximity, obviously. It seems clear that—I think—the United States ought to be working to shore up—it’s not even “shore up,” it’s actually “enhance” our alliances with the new countries in Central Europe that have joined the European Union, joined NATO.

How do you envision the administration working with countries in the Caucasus, Southeast Europe, as they—to promote their democratic reforms, but also your views on integrating them into the European Union, and into our NATO operations?

Dr. RICE. Well, certainly some of the countries of that region have already begun to integrate in very fruitful ways. A number of them have already acceded to the EU, as well as to NATO.

One of the ways that we can encourage that integration is what used to be Partnership for Peace is now, in many ways—in many cases, NATO membership, and, as NATO refines its capabilities to be responsive to the threats of the 21st century, rather than sitting and waiting for the Soviet Union to come across the German plains, as much of the forces looked like—the ability of those countries to place specialized missions within NATO’s overall portfolio is very important, and it gives opportunities for training, for civil-military interaction, for the kinds of things that strengthen democracy. And I happen to think that what we did with Partnership for Peace, and what we continue to do in some countries that are not yet capable of accession to NATO, like, for instance, Georgia, that those programs which ensure contact between democratically-governed militaries and militaries in those societies, the kinds of seminars that we are able to conduct under Partnership for Peace, those all have very positive effects, and I would hope that those would continue. But the future for most of these countries is a further integration into Europe’s great pillars, and we need to work toward that.

Senator ALLEN. Thank you, Dr. Rice.

Mr. Chairman, I just want to say, in conclusion here, Dr. Rice, thank you for your wonderful leadership that you have provided. I look forward to working with you in the years to come. I know we're going to have some debate here, and some votes, but I feel very comfortable that with you as our Secretary of State in this administration, and I think, reflecting all the highest and best aspirations of America, you will help us advance freedom, our security, but also for freedom for people all over the world. Thank you, and good luck to you, and thank you for putting up with a lot of cross-examination today. But it'll be nothing compared to the achievements that you will see in the next four years.

Dr. RICE. Thank you very much, Senator.

Senator ALLEN. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Allen.

Let me just broach, with the committee, two scenarios, one of which is that we would have a business meeting at some time this evening, and a vote on the nominee; or alternatively that we will continue, in either case, to have questioning so that Members will have an opportunity to ask their questions, but also to continue again tomorrow. Might I suggest, perhaps, a vote so that Members can be alerted in midmorning tomorrow morning. I have asked this in terms of the preferences of the committee, in terms of other schedules. Senator Boxer, you have—

Senator BOXER. Yes, I just would like to say, myself, that what's happening here is, the questioning is so good from both sides of the aisle that it raises other issues. And I don't agree it's "cross-examination." I think it's our job. And so, I think we ought to do this tomorrow. I think we ought to maybe hear from Senator Kerry, as the closer—it's a thought—and come back in the morning and continue.

The CHAIRMAN. Well, we'll come back in the morning, in that event, anyway. But we'll also continue this evening so that every Senator who is here has an opportunity to ask questions.

Senator BOXER. Okay.

The CHAIRMAN. I'm not prepared to end the hearing. My thought was simply that we might have a vote at the end of the questioning this evening, thus obviating the need for a meeting tomorrow. In the event that Senators are not prepared to vote this evening, then we'll continue the hearing tonight and reconvene tomorrow and proceed.

Senator BOXER. Are you saying we would continue questioning tomorrow, as well, and then have the vote?

The CHAIRMAN. In the event that we are still meeting tomorrow, then it would be open for questions tomorrow morning.

Senator ALLEN. Mr. Chairman?

The CHAIRMAN. Yes. Senator Allen?

Senator ALLEN. Just for the Senator from California, the term—I used the term "cross-examination," not in a derogatory sense. It's normal. Just questioning people and adducing answers from people. So don't take any offense from that.

Senator BOXER. Thank you, Senator.

The CHAIRMAN. Very well.

Senator Kerry?

Senator KERRY. I don't know if I want to get in the middle of this.

I wonder, Mr. Chairman—I know I heard Dr. Rice say, earlier, she's willing to stay and stay and stay, but I wonder if, you know, there's sort of a limit of decency of how long we want to—

Dr. RICE. No, I'm perfectly happy to stay, Senator. I look forward to further exchange.

Senator KERRY. Fair enough.

I'm reading from an article, on December 15th, which says, by David Ruppe, "Invoking comments by then-presidential candidate Senator John Kerry, a senior Energy Department official said yesterday that the Bush administration would defy critics and finish securing 600 tons of Russian nuclear weapons materials by 2008." It goes on to explain the distinction between sites and tons and how they're going to try to do it.

So I'm glad that some people heard what we were talking about. But in a debate with the President, we were both asked—I think it might have been by Bob Schaffer—what we thought the most important issue was, and I answered, nuclear proliferation, globally, and the President agreed.

Now, this is in 2004 that the President agreed that this is the most pressing issue, globally and nationally, to our security. And yet the fact is that, by the end of this year, we will have secured maybe 46 percent of the material that's out there, and 70 percent of the sites. The fact is, also, that this administration has requested less money than the Clinton administration did in its last year. And each year, this administration has either cut or flat-lined the money for this enterprise.

In 2002, the administration unveiled its G8 Global Partnership Against Weapons of Mass Destruction, pledging to spend \$10 billion. But if you look at what was then being spent, it was about a billion dollars a year; in effect, that was ten billion over the next ten years—same amount of money, no additional commitment of funds to the most significant threat the country faces.

Now, a number of years ago, I remember a suitcase was captured—I think it was in Amman, at the airport—with something like 250 grams of radioactive material, and the sale was several hundreds of millions of dollars on the black market. That's the suitcase we caught. As a former prosecutor, you always wonder about the suitcases you don't catch and the people you don't catch.

No threat has been greater to us, according to, I think, everybody, than the potential of a "dirty bomb" and the threat of terrorists securing these materials. And you explained earlier about the sort of marketing of this process.

You know, I don't say this as a matter of politics at all, but just as a matter of common sense. I don't understand how the administration can choose to spend—now we're going to be close to \$300 billion in Iraq to disarm weapons that weren't there, and yet \$1 billion a year to secure weapons that we know are there, potentially, because every fissionable site is a potential weapon. Real. Ascertainable. Tangible.

So my question to you is, there are a series of steps that could be taken, very simply, as a matter of common sense, for the United States of America to lead the world, as we ought to, with respect

to proliferation. One is accelerating, even further, this securing of sites. That material is subject to theft, some of it poorly guarded by people who are poorly paid. It is insecure. Senator Lugar and Senator Nunn and others put enormous energy into this effort. And the administration even allowed money to be cut at one point with respect to this effort. That hardly defines a serious commitment.

So, one, will the administration—will you press for a global effort that meets the seriousness of the threat and that puts the United States back into the position of leadership with respect to securing fissionable material that we know is there?

Dr. RICE. Senator, I think that we are working to do exactly that. There are a lot of reasons that the schedule is what it is. We've talked about some of the bureaucracies of this; not just here, but principally in Russia. We're on a schedule to do this in four years. I think we will get it done in four years. We're also on a very active program of securing nuclear sites with the Russians, through Nunn-Lugar.

I'm completely and totally dedicated to this program. I think Senator Lugar would tell you that I've been one of its biggest advocates inside the administration, and I will continue to be one of its—

Senator KERRY. Well—

Dr. RICE [continuing]. —biggest advocates.

Senator KERRY. But, you see, that—what you just said doesn't ring with what has happened. I mean, we secured more nuclear fissionable material in the two years prior to 9/11 than we did in the two years after 9/11, when we supposedly had an even better relationship with Mr. Putin. Now, the fact is that you've allowed summit after summit with Russian President Putin to go by without any action that has been taken to overcome—in fact, at the last—the most recent summit, in September of 2003, the United States and Russia laid out an agenda for that effort, and it didn't even include the subject of securing nuclear stocks. It wasn't even on the agenda.

Dr. RICE. It is part, Senator, of what we call the “checklist,” which is a vehicle that we have for working with the Russians on very concrete projects that we have going forward. And we just had discussions, in the strategic dialogue with the Russians, about what more we can do to push this agenda forward. And I think it will be a major issue when President Putin and President Bush meet—

Senator KERRY. Yes—

Dr. RICE [continuing]. —in a couple of weeks.

Senator KERRY [continuing]. —I know, but global diplomacy, as you know well, is defined by the issues that a President of the United States chooses to publicly put on the table and to publicly announce accomplishments on. And, you know, whether it's a checklist that's private versus a major—

Dr. RICE. The checklist—

Senator KERRY [continuing]. —agenda issue—

Dr. RICE [continuing]. —the checklist is public, Senator.

Senator KERRY. But the—it wasn't on the agenda.

Dr. RICE. Senator, the President has, not only put this non-proliferation on the agenda, but he's made proposals for how we

might deal with the multiple aspects of nonproliferation that we have to deal with at this point. I mentioned the proposals that he made at National Defense University, which we've taken up in the G8 and we've tried to press, the Global Partnership, to which you referred, which multiplies American assistance to this area—

Senator KERRY. With the same amount of money. It didn't add a cent.

Dr. RICE. Senator, there—this is a program that we've worked out jointly with the Russians on what can be done when. The amount of money that is dedicated to that particular part of the program is the amount of money that we believe we can spend on the programs that are in the queue. We are going to accelerate the securing of these materials to the point that it can be done in a period of four years, not 13 years. This is a very high priority, and we have funded the program, we have put emphasis on it. We have run into some bureaucratic obstacles, and I've just represented to Senator Lugar that I intend to try and break through those bureaucratic obstacles.

Senator KERRY. Well, I appreciate that, and I certainly, obviously, hope you will.

A second initiative that could be taken with respect to this is to actually push for a global clean-out of potential bomb-making materials, and that could be done in four years. We've got highly enriched uranium that can be used to create a bomb. I gather it's being used to fuel over 130 research reactors in more than 40 countries right now. I've set out a plan that would allow us to be able to secure that completely. I think your current plan, the Bush administration took three years to even get to the point of saying that it would take another ten years to achieve. I believe that could be done in three or four years. Is there any reason that the administration couldn't similarly accelerate that?

Dr. RICE. Well, Senator, I'd love to sit down and talk with you about your plan and what it entails, and to see what could be done. I do think that we spend an awful lot of time trying to work with the Russians to make full use of Nunn-Lugar and other aspects. Now, in terms of a global way to deal with this material that is around, we have a G8 partnership that might allow us to do that, but I'd be very pleased to talk with you about your plan.

Senator KERRY. What do you think about pursuing an effort which many nations support—there's a lot of international support for this—to embrace a ban on all production of highly enriched uranium and plutonium for use in nuclear weapons, and that would, in effect, permanently freeze current stockpiles?

Dr. RICE. In the Fissile Material Cutoff Treaty, that is being—we have said that we favor the negotiation of a Fissile Material Cutoff Treaty. We've been prepared, for some time, to live up to its terms. The problem has been that we did an extensive review, and we do not believe that we can get adequate verification of such a treaty. But we are still prepared to pursue a fissile-material cutoff, and we've made very clear to our partners that we're prepared to do that.

Senator KERRY. And what about any initiatives or discussions with President Musharraf and the Indians with respect to failsafe

procedures in the event—I mean, there have been two attempts on President Musharraf's life——

Dr. RICE. Yes.

Senator KERRY. If you were to have a successful coup in Pakistan, you could have, conceivably, nuclear weapons in the hand of a radical Islamic state automatically, overnight. And, to the best of my knowledge, in all of the inquiries that I've made in the course of the last years, there is now no failsafe procedure in place to guarantee against that weaponry falling into the wrong hands.

Senator KERRY. Senator, we have noted this problem, and we are prepared to try to deal with it. I would prefer not, in open session, to talk about this particular issue.

Senator KERRY. Okay. Well, I raise it, again. I must say that, in my private briefings, as a nominee, I found the answers highly unsatisfactory. And so, I press on you the notion that—without saying more, that we need to pay attention to that.

Dr. RICE. We are very aware of the problem, Senator, and we have had some discussions, but I really would prefer not to——

Senator KERRY. Okay.

Dr. RICE [continuing]. ——discuss that.

Senator KERRY. Let me get to the question of North Korea. North Korea has quadrupled its weaponry capacity——

The CHAIRMAN. Senator, your——

Senator KERRY. I'm sorry. I apologize.

The CHAIRMAN. That's all right. Proceed, but then make that the final——

Senator KERRY. No, that's fine.

The CHAIRMAN. Well, the Chair is going to declare a recess of ten minutes. We've been at it for over three hours, and you have been responsive for that period of time. Then we will come back. We have five Senators who remain to be heard; and so, we will hear those five and then conclude for the evening at that point, and then we will start at 9:00 tomorrow, with the thought that the Senators, hopefully, will be prepared for a midmorning business meeting and a vote.

Senator DODD. Mr. Chairman, you said 9:00 o'clock? Is that what you said?

The CHAIRMAN. Yes.

We'll have a recess for ten minutes, in the event that you would like to recess at this point.

[Recess at 5:30 p.m.]

The CHAIRMAN. The hearing is called to order again.

The chair now calls on Senator Coleman for his questions.

Senator COLEMAN. Thank you, Mr. Chairman.

First, Dr. Rice, I do want to thank you for your strong remarks about the international student exchanges. I think you said that we need to do something to reverse the trend, and we do. My colleague from Tennessee talked about it as an economic competitive issue in the United States. I also think it is a national security issue, that we are losing the ability to have relationships with folks who are going to be the prime ministers and the generals and others.

So I have actually introduced legislation which contains a number of provisions to reverse the decline in international students

studying in America. One, the computer system, the SEVIS system that tracks students, needs to be improved. It tends to get bogged down.

And another little piece of it is we have got a 50-year-old requirement under law that requires students who are applying for student visas to demonstrate strong ties with the country they come from. But it is hard if you are a 19-year-old kid. You do not have a mortgage. You may not have a spouse. So we put some requirements on folks that, I think, if we took a more common sense approach, we would be able to increase the flow, and in the end I think there are both economic competitive issues and national security issues.

I also want to echo the comments of some of my colleagues about Latin America. And we have talked about that and we had a chance to visit. We need to increase American involvement.

I do want to make one comment about Venezuela. It is clear that Chavez won an election. There are a number of us who want to engage. We want to engage more. But I also think it is fair to say that in our business, actions matter and words matter. And the rhetoric from Chavez has to change. You cannot be proclaiming sympathy with folks who are killing Americans in Iraq. My colleague and friend from Connecticut noted that President Lula had said some things, but he said them 20 years ago. Chavez said them last week, in the last month.

Senator DODD. It was not 20 years ago. I hear you but—

Senator COLEMAN. But in any case—I think it is fair. There are a number of us who believe we need to figure out a way to engage, but there has got to be a two-way street here. And words matter; actions matter.

My question for you is about Colombia. After decades of terror, we are seeing killings down. President Uribe is, I think, providing outstanding leadership. Folks are actually able to travel on the roads, which they were not able to do before. The economy is responding positively to some of the increased security. Clearly Plan Colombia is working, but Plan Colombia expires at the end of this fiscal year. Our President—I am pleased that one of his first trips right after reelection was to Latin America—visited Colombia.

I have two questions for you. One, if you can reflect on the situation in Colombia and discuss the future of Plan Colombia. Where are we going?

And then the second issue is that one of the things Uribe is doing is that they are having one of the largest demilitarizations of a paramilitary group probably in history. Because of limitations put on us in the Foreign Operations Bill, this is going on without the participation of the U.S. Government. I would appreciate your reflections on what you believe to be the proper role of the United States in this effort to demilitarize a paramilitary group.

Dr. RICE. Well, thank you very much, Senator.

First of all, on Colombia, I think that Colombia has outstanding leadership in President Uribe. What he has done is to mobilize Colombian society, the Colombian people to take on the terrorism, the narcoterrorism in a new and renewed fashion. He went to the people in a democratic way, and he said here is what we have to do and here are the resources that we have to put behind it. He is

starting to have a lot of success. It is a very tough environment, but he is also taking very tough policies toward the FARC. We have very good cooperation on that piece of it.

I think that many of the aspects of Plan Colombia that dealt with alternative livelihoods, that dealt with dealing with the crop, all of those have worked to improve the circumstances in Colombia to the point that now it is possible for President Uribe to have this very tough policy. It is always a struggle, but it is beginning to work and we just need to support this democratically elected president who went to his people and said we have got to defeat the narcoterrorists, and he is doing it.

The dismantlement or the disarming of militias, including the AUC, is an important part of this revitalization of Colombia and dealing with its past problems. Obviously, there are some things that we cannot do. We have gotten a little bit of flexibility to help some in some of the efforts that he needed toward the FARC, and that was much appreciated.

We would like to be in a position to do whatever we need to do to help him and to have him tell us what that is. I am sure that in the demilitarization, we could do more. But the one thing that we have made clear is that while the AUC needs to be demobilized, demilitarized and while he has talked about reconciliation with certain aspects, not with blood on their hands, and that has been a very important admonition to this government. But Colombia is becoming—I will not declare yet—a success story because you have had very determined leadership, and I think we have been a good partner for President Uribe.

Senator COLEMAN. I think the challenge is you cannot give a free pass to folks with blood on their hands, but we need to somehow have an ability to continue forward with getting guns out of the hands of narcoterrorists.

Dr. RICE. The most important thing that they must do next.

Senator COLEMAN. I would hope that we would be able to have a more assertive role in that and perhaps some guidance from State down the road.

Just to follow up in terms of what we can do to support President Uribe, what do you see as the next phase with the expiration then of Plan Colombia but with, obviously, still great needs, still security concerns? What is our role in the next 2, 3, 5 years for Colombia?

Dr. RICE. I think there is no doubt that we are going to have to explore with Colombia its economic development. It is a country that has potential but a lot of that potential has been held back by the terrible security situation produced by narcotrafficking. As the narcotrafficking situation is brought under control, we obviously will want to be a partner with Colombia in how they build a vibrant democracy.

Part of that is that they have asked us to discuss with them what we might be doing in the area of free trade. I think that is something that we will want to explore with them. Obviously, it has to be seen in the context of what we are trying to do with the free trade area of the Americas, but we have not been shy to go ahead and look at what we might be able to do bilaterally in trade.

I know that trade is an area that Colombia is extremely interested in.

Senator COLEMAN. One of the areas where we have been successful is cutting down on the hectares of cocaine, coca that is being grown there. Spraying has worked in Colombia.

Dr. RICE. Yes.

Senator COLEMAN. When we met with Karzai in Afghanistan, I know that in Afghanistan there are concerns about the spraying. The good news there is that we are hearing that their folks were actually voluntarily stopping poppy growing. We are still waiting to get confirmation of that, but we have got a number of those reports. I think the climate may be more fertile for other things to grow there.

But I would hope that we would at least give evidence to the Afghans about spraying, that it can be done with environmental concerns being met, and that it can be effective if some of the other things that they are doing do not work to the degree that we think they should.

Dr. RICE. I agree, Senator. In fact, we asked the Colombians, and they agreed, to talk to the Afghans about their experience.

But we are exploring or pursuing with Afghanistan a kind of five-pillar approach to the counternarcotics problem, which really is now, I think, in many ways the most urgent in Afghanistan, first of all, to look at eradication, to look at eradication both aerial and manual. At this point, manual is all that we can do, but we will see whether aerial is needed and what we can do in that regard.

We are working on alternative livelihoods. We are working on legal reform and police training so that we can help with that. Prosecutions of people need to take place.

And then there is a very big public affairs campaign. Karzai made the point to us that he needed, after many years of no democratic contact with the society, to delegitimize in the eyes of the people the growing of poppy. He has been very aggressive on that. He has appointed a minister for counternarcotics. He went to the people and said this is a stain on Afghanistan that we have this. So there is a lot of work to do, but I think we have a government that is dedicated to the counternarcotics fight. And we will see what role aerial spraying has to play.

Senator COLEMAN. We saw last week great success in Afghanistan. Some people talk about the hustle factor. The people there are proud of what they have accomplished, proud of what they have done with their election, proud of where their country is going. The opium trade threatens to undercut all of that. We spoke to our European allies, NATO, about that. But that is the one issue that could derail the incredible success we are having.

So I appreciate your perspectives and I look forward to supporting your nomination. I know that you will serve this country with great distinction and great skill as you have done already, and I know you will continue to do so.

Dr. RICE. Thank you, Senator.

The CHAIRMAN. Thank you, Senator Coleman.

Senator Feingold.

Senator FEINGOLD. Thank you, Mr. Chairman.

Dr. Rice, thanks for all your time today.

I do want to commend you for your strong statements on the need to focus in a much more serious way on public diplomacy and particularly to ensure that our efforts involve a real dialogue and exchange, not just broadcasting our opinions or handing out cassettes or pamphlets. We have to show people the basic respect of listening to them, even when we disagree. It is so important particularly in political cultures in which ideas about humiliation are so prominent. I hope to work closely with you on these issues.

Every time I travel, I become more and more convinced of the importance and the value of involving more and more Americans, our farmers, our artists, our teachers, in this kind of an issue. I think Americans want to contribute in this way, and I very much hope that you will consider me a true ally in your efforts in this regard.

On the other hand, I am deeply troubled by your response or, rather, your failure to respond clearly and directly to Senator Dodd about torture and interrogation techniques. We went through the same kind of process with the nominee for Attorney General in our Judiciary Committee, but frankly this was even more troubling. It is simply not okay to equivocate on torture. It is not okay from the point of view of the safety of our own troops. It is not okay in terms of global perceptions of this country, and it is not okay because it is not who we are as a country. America is better than that. We stand for something and we do have standards. I just felt I wanted to say that before I proceed to one other area.

Less than 10 days ago, a comprehensive peace agreement was signed that we all hope will mean a lasting end to the tremendously costly north/south civil war in Sudan, which the Chairman mentioned. I congratulate the administration, which worked tirelessly on this issue, on this accomplishment, but as we all know, the crisis in Darfur continues to fester. And despite the fact that Secretary Powell acknowledged that we were dealing with genocide, the United States and the international community have basically taken no effective action to stop the violence.

Last week I met with refugees who had fled to desolate camps in eastern Chad, and I heard the fear in their voices as they told me that they cannot return home until there is some kind of meaningful security on the ground. To date the administration simply has proven unable or perhaps unwilling to exert enough pressure on the Government of Sudan to convince it to change its behavior.

Of course, one of the many difficult issues in addressing Sudan, something that has come up in other contexts today, is the tension between the desire to have a solid counterterrorism relationship with Sudan and, on the other hand, our reaction to the kind of unacceptable atrocities we see in Darfur right now. We see this tension in other places as well, such as Uzbekistan.

How can this kind of tension be managed?

Dr. RICE. Thank you, Senator.

First, let me try to be clear. The United States does not and cannot condone torture. I want to make very clear that that is the view and the policy of the administration, the policy of the President, and that he has made very clear to American personnel that we will not condone torture.

As to Sudan, it is a very difficult problem. And I thank you very much for the recognition for what we have been able to do on the north/south issue, and I want to just say that Senator Danforth did a fantastic job on that. The President, when he first came into office, said that he wanted to try to do something about Sudan. He enlisted Jack Danforth and we did get something done on the comprehensive peace between north and south.

We have hoped that that would give us some leverage to deal with the Darfur issue because Khartoum now has more at stake. If, in fact, we are going to move forward on a relationship, having resolved the north/south issue, Darfur has to be resolved too. So there is more at stake for Khartoum in resolving the Darfur issue.

We were early and we have been consistent in trying to deal with the humanitarian crisis, getting access for the nongovernmental organizations, having opened up an additional access route with Libya, spending money. I met with NGO's that were operating there. I think they believe that the American effort on the humanitarian side was really quite active.

The problem, as you note, is that Khartoum has been difficult to deal with, particularly on the security issue, where we have been saying to them you have got to disarm the Janjaweed. You have got to stop the atrocities against people. We do believe it rises to the level of genocide and we are pressing Khartoum very, very hard on those matters.

There also has to be a political process ultimately, and we have tried to help sponsor one.

Frankly, this is a place where I am really disappointed in the response of some others in the international community. The reason that we could not get a tougher Security Council resolution is not because the United States did not want one. It was because certain members of the Security Council refused to have one. One of the problems in working in a multilateral environment is that sometimes you are blocked by others.

Now, we are impressing and I think we need to. One reason that we thought it important to call genocide genocide was to put pressure on members of the Security Council who have been reluctant to even talk about the future, a future that might include sanctions, that it was important to put pressure on those other Security Council members. So we will continue to press this case.

We also need—I think I mentioned earlier, and this is actually a broader issue within Africa. Our policy has been to try to improve the capability of African institutions to involve themselves in civil conflict of this kind. We did it with ECOWAS in Liberia. We are working with the AU in Sudan. But again, right now, we believe 3,300 peacekeepers ought to be there. Khartoum has allowed 1,100.

So we are really going to have to have an international effort in order to bring greater pressure on the Sudanese Government, but we are trying to raise the spotlight on it. We are trying to pressure others to raise the spotlight on it, and we are doing what we can, in the meantime, to deal with the humanitarian circumstances.

Senator FEINGOLD. Well, I think your comments are fair with regard to the lack of cooperation from other countries in past months with regard to Sudan. But based on the extensive conversations I had last week in that region, my guess is that the combination of

our counterterrorism interests and the commitment to the north/south agreement in Sudan will provide too much momentum in the other direction and that the Darfur situation will not be resolved unless we do something fairly dramatic.

Let me reiterate my call and the call of others that a special envoy be appointed to deal with this issue. You mentioned Senator Danforth. He did a tremendous job as a special envoy on the north/south problem. This situation, this genocide, as your predecessor called it, will not be resolved unless we do something dramatic, and it makes perfect sense to take that step. So let me urge that on you.

Finally, just to go back to the torture issue for a minute, I appreciate your general statement that you abhor and reject torture. Senator Dodd got it down to specific types of activities that are reprehensible. You were unable to say that those particular kinds of conduct were unacceptable forms of torture. And I am afraid that that is absolutely the wrong message we want to send today, with all respect.

Thank you, Mr. Chairman.

Dr. RICE. Thank you.

The CHAIRMAN. Thank you very much, Senator Feingold.

Senator Voinovich.

Senator VOINOVICH. Thank you, Mr. Chairman.

I would like to talk to you a little bit about budget and management. The 150 account, function 150, is what funds your agency. It is about 1 percent of the total Federal budget outlays, that is as compared to the defense budget which represents about 17 percent of budget outlays.

The President—and I pat him on the back for this—requested a 7 percent increase for the Department in his 2005 budget. We unanimously agreed to that and, unfortunately, my colleagues in Budget and Appropriations came up \$1.8 billion short.

There is some talk today around town that the President is going to be asking all agencies, other than Defense and Homeland Security, to prepare options for cutting current spending by 5 percent with the intention of holding non-defense resources to 1 percent of growth in the 2006 budget.

What impact would this have on your 150 account, number one? And do you believe the State Department should be included in such national security exemptions in a way similar to the Defense Department, Intelligence, and Homeland Security?

Dr. RICE. First of all, I do understand the budget concerns that the country is operating under at this point and the need to have budget discipline. I fully understand that. And obviously, the budget numbers are not yet available, not yet final.

I do believe that we will be able to execute the American foreign policy. We will be able to keep momentum in the very considerable improvements that have been made in management in people, in the diplomatic readiness initiative in technology—

Senator VOINOVICH. Do you believe that the State Department should be part of the national security exemptions just as the Department of Defense, Intelligence, and Homeland Security? I would like to know whether you think it should be an exemption or not.

Dr. RICE. I think the important thing, Senator, is that we are able to perform the functions that we need to perform. That is what I am going to be watching. If at any time I do not think we will be able to perform those functions, I will make that known not only to OMB but to the President.

Senator VOINOVICH. Well, it is pretty important because we have heard a lot today. There are a lot of areas where people want money, but there is just only so much that is there. I do believe that your Department is as important to our national security as the Defense Department, and we are going to have to start to re-evaluate the way we spend our money around here if we are going to deal with this new challenge that we have of global terrorism.

The next question I have is the issue of management. Do you know when the last time was when the Department of State had a management audit to find out whether or not it was organized the way it ought to be organized?

And second of all, when was the last time that somebody looked at how the Department sets its priorities?

Dr. RICE. Senator, I do not know when the last management audit was, and I have to assume that they looked at priorities on a yearly basis. I know that this has been a very fine management team that Secretary Powell has set in place and they have made a lot of progress.

But I want to assure you that I feel very strongly about the need to manage a Department very well. Without the management of your resources—and that means budget, people, technology, buildings, all of those things—it is very hard to actually conduct policy. You have my word that the management agenda will be a very important part of my agenda, and if there has not been a management audit or a review for some time, then there will be because it is an important thing to do.

Senator VOINOVICH. I am going to be paying a lot of attention to that part of it not only as a member of this committee, but also because of my chairmanship of the Oversight of Government Management in Governmental Affairs. I am really interested in that information because if you do not have the people to get the job done, then we have got some real problems.

Dr. RICE. I agree, Senator. Let me just say, on the budget matter again, we can meet our obligations. If there is a supplemental, we will look forward to, obviously, being a part of it for a number of our requirements for a number of things that have to get done. But I just want to emphasize we will look at the resources that we have and can we do the job, and I will not hesitate, if I think that we have problems in that regard, to make certain that the President knows.

Senator VOINOVICH. I would really like to know who is going to be looking management issues? Bob Zoellick? You are going to be so busy with all kinds of things. We are talking about special envoys to other places, among other things, and you are saying, well, maybe we will not do it. If you get involved in the Middle East and start shuttle negotiations or something, somebody has got to pay attention to who is running the shop, and I am real concerned about it.

One other thing I would like to bring up is the Global Anti-Semitism Review Act. Part of that act requires the State Department to create a new office to monitor and combat anti-Semitism. I would like to know when is that office going to be created.

Dr. RICE. Senator, I will have to look into that. I know that we need to create the office. I know that they have looked at creating it. There is some question about where it will be located. I will look into that as soon as I am, hopefully, confirmed and get back to you with an answer.

As to who will manage, clearly the deputy has an important role to play in the management. So does the Under Secretary for Management.

But I just want to emphasize I know that I will be doing a lot of things, but I was chief operating officer of Stanford University's Provost. I cared a lot about the management issues. I understand management of big organizations, and I know that if you are not watching, all kinds of things can happen that are to the detriment of your objectives. So you can be certain that it is something I will be paying attention to.

Senator VOINOVICH. That is great because your people will want to know you care.

Dr. RICE. The first briefing that I actually had was with the Under Secretary for Management because I wanted to understand what the management challenges were, what the future looked like. Secretary Powell and Deputy Secretary Armitage have done a fine job of managing. We have to continue that tradition and push further.

Senator VOINOVICH. One other issue again deals with management. Our European Subcommittee conducted a hearing on crime and corruption in Southeast Europe and that area. You have got the FBI, you have got the State Department and other agencies involved in it. I would suggest that someone look at the way that effort is organized because the conclusion I drew was that everybody is involved, but there does not seem to be an orchestra leader or somebody who is coordinating it. I do not know whether it is the State Department or the Justice Department. I think you understand it. You mentioned in your remarks that crime and corruption in some of those parts of the world are a much greater threat than terrorism, and if we do not really have our act together in that regard, many of these new democracies are going to be undermined.

Dr. RICE. Understood. Thank you, Senator. I will look into that.

The CHAIRMAN. Thank you very much, Senator Voinovich.

Senator Boxer.

Senator BOXER. Thanks so much, Mr. Chairman.

I am going to make a couple of comments and then I am going to continue the questioning on the torture issue.

I hope that you will consider what colleagues have said on both sides of the aisle about a lack of consistency in our foreign policy. For example, Senator Dodd at one point said we are in trouble in Latin America, and I would say, having come back from a 6-day conference with Senator Lugar, bipartisan on Central and South America, it is true because they do not sense a consistency. As Senator Chafee points out, you praise Uribe for democracy even though we were told at this conference that he is trying to pass a law

which would forbid sitting governors and sitting senators from running against him. And you condemn the head of Venezuela, Chavez, after having the administration, not you personally, briefly praise a coup. And it was not until the OAS spoke up and said, well, wait a minute, that is wrong, that we backed off. So we really do need more consistency here.

For example, in Mexico where the PRI is coming back. We have got to pay attention to Mexico. I hope that will be a priority because I know they are very distressed and disappointed that they do not feel they were a priority. We have got immigration issues in my State that I know you are very aware of being a resident there, and we have got to deal with these issues. We have a situation where the PRI now is trying to disqualify someone who wants to run. So we have got a lot of democracy issues there, and I think we need to be even-handed.

Also, I think Senator Biden's point—and I think Senator Lugar might have picked up on it. I am not sure—that for the Axis of Evil countries, we have a certain set of criteria, but yet it does not extend to other countries like China and Russia and other places that I think Senator Chafee mentioned.

I put this out there because I know it is all tough and we play the game and we need all of our friends to be with us and we overlook certain things. But we will lose credibility. So I hope you can think about that as you, I believe, will try to restore credibility for this country.

Now, we sparred over the weapons of mass destruction, and I just want to place something in the record because I do not want to go on and on because we just will not agree. We might as well say you see it one way, I see it another. But I thought what I put in the record is a statement by the President's spokesman, Ari Fleischer, right after the war started. I ask unanimous consent to place this statement in the record.

The CHAIRMAN. It will be placed in the record.

Senator BOXER. At a press conference he said: "The fact of the matter is we're still in a war and not everything about the war is known, but make no mistake, as I said earlier, we have high confidence that they have weapons of mass destruction. That is what this war was about and it is about." That's Ari Fleischer.

I would like to place that in the record because we are not going to agree at the end of the day. That is why I am trying to put in statements that say that my view is not coming from me. It is coming from people who are all around you.

[The material to which Senator Boxer referred appears in Appendix II of this hearing transcript.]

Senator BOXER. Now, Senator Dodd gave you a great moment in history to show your humanity on the issue of torture. He said, I am not talking to you as a nominee. I am talking to you as one human being to another. And you answered in legalisms. Then Senator Feingold gave you another chance and you did not take the opportunity. Now, I respect that, but I am distressed about it. And I agree with Senator Dodd. It is very, very disappointing. So I am going to press you a little further not only on what you have said on it, but what you have actually done on the issue.

What you said today what happened in Abu Ghraib was unacceptable, was abuse. It made us all sick to our stomachs, and I think we could all agree. Did you see all of the photos that were available from that prison?

Dr. RICE. I do not know if I saw all of them, but I saw enough of them to know that it was a stain on our country.

Senator BOXER. Well, I appreciate that. I went up to see the photos. And at my age we take stress tests. Also because of the work we are in, we take stress tests. And they tell you, when you get up on that machine, just keep on going until you cannot take it anymore. That is how I felt when I was watching those photographs. I saw things there that will be burned in my memory forever.

And that is why I am so supportive of making sure that America stands tall, tall, the leader in the world against torture. I am very upset at certain things that occurred, and I want to tell you what they are.

You said, on July 1, 2004, when you commented on the abuses that took place in Abu Ghraib—we are going to put this up here. You said: “What took place at the Abu Ghraib prison does not represent America. Our Nation is a compassionate country that believes in freedom. The U.S. Government is deeply sorry for what happened,” and so on. You said that about Abu Ghraib. I thought your remarks were very appropriate.

Now, last Thursday we find out that after the Senate unanimously approved an amendment to restrict the use of extreme interrogation measures by American intelligence officers, you wrote a letter, along with Mr. Bolton, to the members of the conference committee asking them to strike that language from the final bill. Unfortunately, that is what they did at your request.

Now, I want to read you the operative language that you asked to be struck from the bill and was struck from the bill. And by the way, this is written by Joe Lieberman and John McCain—John McCain, a man who knows what torture is. So he wrote this with Joe Lieberman. “In general, no prisoner shall be subject to torture or cruel, inhumane, or degrading treatment or punishment that is prohibited by the Constitution, laws, or treaties of the United States.” Pretty straightforward, pretty elegant, bipartisan. That amendment passed the Senate unanimously, every single member.

A letter comes and the newspaper writes that at your request, at the urging of the White House, congressional leaders scrapped a legislative measure last month that would have imposed new restrictions on the use of extreme interrogation measures by American intelligence officers. In a letter to Members of Congress sent in October and made available by the White House on Wednesday—this is last week—Condoleezza Rice, the National Security Advisor, expressed opposition to the measure on the ground that it “provides legal protections to foreign prisoners to which they are not now entitled under applicable law and policy.”

Now, my understanding of this is that is a restatement of what the law is.

So again, I am so distressed that we hear from you, even though you had a chance today to put your personal touch on it—we hear good words about how it was terrible, what happened at Abu

Ghraib. Again, I know you are aware that the overwhelming number of those people were set free from Abu Ghraib. So those people in that pyramid who were being sexually abused were set free, the vast majority of them. Yet, when we had a chance, the bipartisan Senators voted to say this has to end, this has to stop, who writes a letter—you do—telling them to drop this?

Why on earth did you do that after we passed this unanimously? And you say that what happened in Abu Ghraib was unacceptable and it was abuse. It is to me rather stunning. So can you explain to me why you wrote that letter?

Dr. RICE. Senator, it was our view in the administration that, first of all, this was covered in the defense authorization bill, which the President did sign.

Senator BOXER. But this has to do with the intelligence community, not the military.

Dr. RICE. And secondly—

Senator BOXER. So it is not covered.

Dr. RICE. But all Government agencies were covered in the defense authorization.

Senator BOXER. This was just the intelligence officers.

Go ahead.

Dr. RICE. All Government agencies were covered in the defense authorization. So intelligence was covered.

Senator BOXER. No, it was not.

Dr. RICE. It was our view.

Secondly, we did not want to afford to people who should not enjoy certain protections those protections. The Geneva Conventions should not apply to terrorists like al Qaeda. They cannot or you will stretch the meaning of the Geneva Convention.

But, Senator, I have to go back to the broader point here.

Senator BOXER. One second. Excuse me. I just want a clarification.

Dr. RICE. Yes.

[Pause.]

Senator BOXER. Got it. Thanks. Go ahead.

Dr. RICE. Nobody condones torture. Nobody condones what was done at Abu Ghraib. In fact, you had everyone from the President of the United States on down, in effect, offer an apology to those who had endured that treatment. The people who perpetrated it have been punished and are being punished. It is being investigated. It is looked into as to whether there was a broader problem. The United States reacted the way that democracies react when something goes wrong. And something definitely went wrong at Abu Ghraib and nobody condones or excuses what happened at Abu Ghraib.

The problem of how to deal with unlawful combatants, though, in a different kind of war is, frankly, a very difficult problem. You have people who kill innocents with impunity. You have people who burrow into our country and try to harm us. You have people who have engaged in large-scale acts against children in Russia and against commuters in Madrid. This is a different kind of war and these are combatants with which we are not accustomed.

Senator BOXER. So do you then oppose that language in the defense bill? You seem to oppose it in the intelligence bill.

Dr. RICE. Did we oppose the language in the defense bill?

Senator BOXER. I am asking you now. You said that you should—

Dr. RICE. The President signed it.

Senator BOXER [continuing]. —No, no, no. I am asking about you. You said—

Dr. RICE. The President signed it.

Senator BOXER [continuing]. —No, no. You are not listening to the question.

You said you do not want to extend these international laws to all prisoners. However, it is extended in the defense bill, and this was just extending it to the intelligence officers. So that is why I am asking you. Since you said you cannot extend it, do you support it in the defense bill? Whether the President signed it, I am asking your opinion.

Dr. RICE. Of course, I support it in the defense bill, Senator.

Senator BOXER. But you do not in the intelligence bill. Is that correct?

Dr. RICE. No. Senator, we think the intelligence agencies are covered in the defense bill. It was unnecessary to have it in—

Senator BOXER. But then you go on to say that these agreements should not cover it.

Dr. RICE [continuing]. —I was making a broader point, Senator, which is that the Geneva Conventions should not be extended to those who do not live up to the obligations of the Geneva Conventions.

Senator BOXER. Well, let me just say this, Mr. Chairman. The person who wrote this, Dick Durbin, Senator Durbin, the senior Senator from Illinois, offered the language to the Defense Department bill. He then said the Senate intelligence reform bill would have simply extended these requirements to the intelligence community.

Now, I am getting two messages from you. One is we did not need this because the intelligence community is already covered. If that was the case, why not leave it in so the world can see that we are not only willing to put it in the defense bill, but in the intelligence bill? Because, obviously, colleagues here—John McCain kind of knows what he is doing in legislation and so does Senator Lieberman. They are the ones who did this. 100 to nothing it was passed through the United States Senate. I think people felt it was important, in light of Abu Ghraib, to stand up and be elegant on the point.

And I am going to read it one more time, because what they said was quite elegant. And it does not have any extra words at all. “In general, no prisoner shall be subject to torture or cruel, inhumane, or degrading treatment or punishment that is prohibited by the Constitution, laws, or treaties of the United States.”

And for everyone in the Senate, Republican and Democratic, it was a shining moment. And then in a letter—and it just comes to light last week that you write—you asked that this be stricken. I have to say that is the problem I have. There are beautiful words and then there is the action or there are contradictions.

Dr. RICE. Senator, it is the law of the land.

Senator BOXER. I do not think that you have explained it because by saying we did not need it, it was in the defense bill, A, people do not agree with that in the Senate; and B, so what if it was duplicative, that we said it twice that torture is wrong and we will obey international laws?

I think it just shows that this is not an issue that you feel very comfortable with. You had an opportunity when Senator Dodd asked you. You had an opportunity to say how you felt personally about it. You had a chance to embrace this language, which was embraced by Senator McCain and Lieberman and every Member of the Senate, and yet you write a letter and as a result, it is dropped. I just think it is a sad day for us. That is how I feel.

Thank you.

The CHAIRMAN. Thank you very much, Senator Boxer.

I call now on Senator Obama.

Let me just announce, while there are still Senators here, that after consultation with many parties and if not quite unanimous consent, certainly majority consent, it is the chair's view that we will commence our hearing tomorrow morning at 9 o'clock. We will have a round of questions for cleanup purposes, limited to 5 minutes a Senator. At 10 o'clock, we will have a business meeting of the committee at that point, and at that point we will have debate and hopefully a vote on the nominee.

I appreciate that this inconveniences some Senators and the witness. On the other hand, Senator Biden had obligations this evening and so have two Senators, who will remain nameless, who had television appearances and other things that needed to happen. So we are attempting to do the best we can to try to be fair to everybody involved.

We will continue this evening and Senator Obama will ask questions and take a regular round. We will then go back to other Senators who wish to continue the questioning at that point. Senator Obama.

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

Dr. Rice, I appreciate your stamina.

I have got one very specific question that I would like maybe a brief answer to even though it is a large question, and then maybe I want to engage with you a little bit on this public diplomacy issue.

I think that you have done a commendable job in helping the United States rethink its international aid and development programs. So I know the Millennium Challenge Account you were very active in. I understand the President pledged \$10 billion by fiscal year '06. To date, \$2.5 billion has been appropriated. My understanding is very little has been spent.

The President also pledged in 2003 \$15 billion for HIV/AIDS, something that all of us care deeply about, but to date only around \$2 billion has been appropriated for HIV/AIDS, leaving \$13 billion to be appropriated and spent over the next 3 years.

So my very specific question is, are you planning and would you pledge here to make full funding of these commitments a central priority of the administration in its budget requests for Congress?

Dr. RICE. The MCA is a very important initiative for us, and we have been trying to get it right. So it takes some time to negotiate compacts with these countries and to make sure that they are prepared to take on the obligations of receiving MCA funding. We were also about a year late—not a year late, a year in getting in the Millennium Challenge Corporation up and running. So what we will do is we will make sure that the funding is there for the program that is before us, and we will, over time, certainly fulfill the President's obligation to, by 50 percent, increase American spending on development assistance.

Senator OBAMA. Okay. The reason I make this point I think is not that I want us to spend money willy-nilly. And in the same way on social programs, if programs are not well thought through and you throw money at them, it may be a waste of money—and we do not have money to waste—the same is certainly true on the international stage.

On the other hand, when we publicly announce that we are making these commitments and if it appears that we are not following through, then that undermines our credibility and makes your job more difficult. So I would urge that there is a clear signal by the administration in its budgeting process this time out that we are moving forward on this. And if in fact it turns out that the spending on this money was overly ambitious because we do not quite know how to spend all of it wisely, then that should be stated publicly and clearly and the time line should be extended, but there should be a clear signal sent by the administration on that. So that is the relatively narrow point.

The broader point I think draws on a number of themes that have been discussed earlier. The issue of public diplomacy—some of it is technical. It is technical. Do we have the equivalent of a Radio Free Europe in the Middle East that is effective? What are we doing with respect to exchange students and visas? I think there are a whole host of technical questions that we can deal with.

But effective public diplomacy, at least from my perspective, is not just spin. It is substantive. Part of the problem we have overseas is not just a matter of presentation. It is profound disagreements with our approach to certain policies. And I think that one area that this comes up—and I think Iraq highlighted, and I see in your statement I think it may highlight it as well. When I read in the third paragraph of your testimony or opening statement today, it says, “under the vision and leadership of President Bush our nation has risen to meet the challenges of our times, fighting tyranny and terror and securing the blessings of freedom and prosperity for a new generation. Part of, I think, the concern of that I have here—and this has been a concern for critics of the administration for some time—is the conflation of tyranny and terror. That may be where the mixed signals or the lack of consistency that Senator Chafee and Senator Boxer and others were alluding to arises.

We are unanimous in wanting to root out terror. It appears that even within the administration, there is ambiguity with respect to our views on tyranny. Tyranny is problematic but if engaged in by an ally of ours or a country that is sufficiently powerful that we

do not think we can do anything about it does not prompt military action. In other cases it does.

Part of the, I think, debate and divisiveness of Iraq had to do with the fact that it appeared that the administration sold military action in Iraq on the basis of concern about terror, and then the rationale shifted, or at least got muddled, into an acknowledged desire to get rid of a tyrant.

And I guess what I am trying to figure out here—and this is particular to military action and military incursions—do we have a well-thought-through doctrine that we can present to the world that explains when we feel that military action is justified and when it is not?

Apparently it is not justified in Sudan where there is a genocide taking place. It was not justified in Rwanda, despite I think unanimity that that was one of the greatest tragedies that occurred in my lifetime. There are a number of circumstances in which we have felt that such incursions or nation-building are not appropriate despite the evidence of great tyranny, and yet in Iraq and perhaps in Iran and perhaps in other circumstances, we think it is.

So what I am looking for is some clearly articulated statement as to when you think, as Secretary of State, military action is appropriate. Or do you think alternatively that the administration should be able to engage in sort of ad hoc judgments as it goes along as to whether, well, let us take these folks out and let us not take these folks out?

Dr. RICE. Well, it is a very interesting question, Senator. It is one that actually is debated in the academy around the world. How can you think about a standard for the use of military force?

Senator OBAMA. Not to interrupt, but of course this is not academic because—

Dr. RICE. No, of course.

Senator OBAMA [continuing]. —we have 150,000 troops over there right now.

Dr. RICE. Of course. That is exactly my point, that when you are not debating it in the academy, it is a bit more difficult to have a hard and true definition of when one would use military force and when one would not because circumstances differ and one has to, when choosing a policy course, look at the mix of tools available to you. Military force should really be a last resort, certainly not a resort that is early on in the process because so much is at stake and lives are at stake and war is an unpredictable, blunt instrument. So it is, indeed, outside the confines of the academy, very difficult to have a specific definition of when you use force and when you do not.

I think that when one looks at Iraq, you look at a circumstance in which an awful lot of factors came together to make the case of Saddam Hussein approachable really ultimately only through the use of military force, that it was in that sense a last resort because you had had 12 years of failed diplomacy after a war, in which he had fought a war of aggression, and which he had then signed on to certain obligations, not kept those obligations. He signed on to the obligations, by the way, in order to end the 1991 conflict. He then did not live up to those obligations, flaunted them before the international community, continued to threaten his neighbors, con-

tinued to threaten our pilots trying to enforce the no-fly zones. We did have someone with a history and a present and a shadow of the future concerning the world's most dangerous weapons, and we had someone who was an ally of terror and was in the world's most dangerous region. I think he had the whole package.

Senator OBAMA. Dr. Rice, I do not mean to interrupt you, but I know that I am going to be running out of time. I see that yellow light going off.

I guess my point is not to relitigate the Iraq issue. I think it is to move forward. The concern that many of my constituents in Illinois express is that we went into Iraq, at least in their minds, because of a very specific threat of terror, not tyranny but terror. Had the administration sold the plan to go into Iraq based on this complex mix, then it is not clear it would have generated public support. That is past.

As we move forward and we look at Iran or we look at North Korea or these other circumstances, I think it is important for us to be clear that the American people have to have an honest accounting of why we are going in because once we are in, we are stuck.

Dr. RICE. Yes.

Senator OBAMA. And we are now going to be spending at least \$200 billion in Iraq, and we have lost over 1,300 lives and it is counting.

So part of the public diplomacy, both internationally as well as domestically, requires this administration to at least be able to articulate these reasons in a way that are coherent and somewhat consistent. I understand that the world is complicated and it is not always going to be fitting into the neat boxes of the academy, but right now at least, it seems like it is a moving target, both for the American people and for the international community.

Dr. RICE. Well, Senator, I appreciate that, but if I could just speak to the moving target notion because I do not think it has been a moving target.

The fact is tyranny and terror are linked. They are linked. We know that if we deal with Osama bin Laden and al Qaeda and the organization that did 9/11, we are still going to be dealing with its spawn and we are still going to be dealing with the ideology of hatred that it has been perpetrating. And we know that the ground in which that ideology of hatred has grown and matured and prospered is the ground of places in the world where there is a freedom deficit and where the anger and hopelessness has been channeled into these very malignant forces.

Senator OBAMA. Absolutely, but again—I know I am out of time here, but that is true in Sudan. There is a lot of anger in Sudan. There is a lot of anger all through sub-Saharan Africa, and yet we do not make these decisions. So I am not disputing that if you have a vibrant democracy and a healthy, functioning free-market system there is less likelihood of terrorism. I think all of us recognize that connection, but we are making very specific calculations on the basis of flawed information or flawed intelligence and finite resources. And so we have got to make the best judgments we can in these circumstances. So the fact that there is a link somewhere between terror and tyranny is not sufficient for us to be making de-

cisions about spending \$200 billion to \$300 billion or sacrificing the lives of American servicemen and women.

Dr. RICE. Senator, I appreciate that, but I have to say I do not think it is a vague link. When you talk about the Middle East, it is a pretty clear link. You are talking about the rise of Islamic extremism. You are talking about jihadism. You are talking about the ground in which it grew up, and you are talking about a very narrow definition of terrorism if you only talk about trying to take down the al Qaeda organization.

Senator OBAMA. I think that is fair, and if that is the case—again, I do not belabor this, but I am just trying to give you a sense of where I think our public diplomacy fails. There is certainly a link between tyranny in Saudi Arabia and terrorism, and yet we make a whole series of strategic decisions about accommodating the Saudi regime. I am not saying that is a bad decision.

But what I am saying is the degree to which you as the spokesperson for U.S. foreign policy are able to articulate greater consistency in our foreign policy and where those links exist between tyranny and terror, you are able to apply those not just in one or two areas but more broadly, then I think your public diplomacy is going to be more successful.

Dr. RICE. Thank you.

The CHAIRMAN. Thank you very much, Senator Obama.

I will pass on this round and recognize Senator Dodd.

Senator DODD. Well, thank you, Mr. Chairman. I have a number of areas to cover.

Let me mention, first, on a positive note because Senator Voinovich and others, I think maybe the chairman raised earlier—in fact, I want to thank you. You came by and we had a pleasant conversation I think in December or early January. I have forgotten which now.

Dr. RICE. December I think.

Senator DODD. I appreciate the time and the willingness to do that.

One of the things you and I talked about in that meeting was this issue of the—at least statistically we are told in the press about a declining number of graduate students coming to the United States. I think you were talking about this earlier, the visa issue and this problem we are having with, I think, a 45 percent decline in graduate schools, about 8 percent in undergraduate degrees. We ran into it in this trip that Senator Nelson and Senator Chafee and I took in our embassies and talking to other people. There is a declining number of applicants coming through our office because of the bureaucracy, just waiting for a decision whether or not they can come. Given the opportunities to choose other universities around the world who are competitive with our own, they are making choices to go elsewhere.

I think one of the great strengths in this post-World War II era was the opening of America's doors, our universities and the tremendous benefit to us, to them as well going back. How many of us have run into students, leaders today that went to American universities, came here as students and had a wonderful effect on their decision-making process as young adults? I am hopeful that we can get back to that issue again.

I realize there are modern considerations in the wake of 9/11 that we have to weigh in all of this, but I think we do so at our own peril if we do not get this right soon in my view.

I will not go back because time is limited here, but in your opening statement, you made a couple of wonderful statements here that I certainly agree with. You speak eloquently about the visionary leaders we had at the end of World War II. I think too often we forget about how visionary they really were in many ways and things they did.

I say that because in talking about the subject matter earlier when I raised the issue of torture and these questions, and I say this because I remember growing up and getting a constant diet of this. My father was about a 35- or 36-year-old lawyer when he went to Nuremberg. And Winston Churchill and others at that time talked about the defendants in the first round of prosecutions were some of the most vicious people that mankind had ever seen. Whether they wore uniforms or not, they brutally murdered 6 million Jews and 5 million others, civilians not to mention the millions who lost their lives as combatants.

Winston Churchill and others argued at the time that we just ought to summarily execute these people, but the American team argued, without any basis—there was no Geneva Convention that I am aware of in those days that sat—that they believed very deeply that the place at Nuremberg was so appropriate because that was the site of the Nuremberg laws that gave the Nazis the legal justification for the final solutions. And the Nuremberg trials occurred in that city. We insisted that every defendant there get a lawyer. They could present evidence before that court, that tribunal made of the allies.

They did so not because there was some body of law someplace that said they had to, but because we wanted to tell the world who we were. We were very, very different not just in terms of our economic plans and political plans, but how we viewed mankind.

What I think we are getting at here in these questions to you is not about the legalisms of this, but in these troubled times—and we are dealing with great threats of fundamentalism that threatens our way of life—that we are different out there. We stand for things that are different based not so much on laws or statutes that get passed, but go right back to our Constitution in this country. When our Founders wrote, they did not talk about people who were blessed enough to either be born here or live here when they talked about mankind. And that is what we are getting at with these questions.

I know you have got a job to follow the law and read the statutes and so forth, but I wanted to give you as an opportunity to talk as that very visionary generation did in the wake of World War II with all of the anger, all of the feelings they had. They insisted that we send a different message to the world, that even these brutal, cruel human beings who did what they did to innocent civilians, we treated them differently than they ever would have treated their own victims. That is the issue really, not what the law says, not dotting the I's and crossing the T's, but speaking more fundamentally as to who we are as a people. That is really what is at the core of this issue. I want to give you a chance to talk

about that because that is important to people around the globe. So that is the reason I raised it.

It goes to a third issue which I want to get to in a minute, but if you want to respond to this again, I would like to give you another chance to do so because your answer was very troubling to me.

Dr. RICE. Well, we are and have been different. We have now friends who have similar views of international law. The United States has been a leader. Senator, I understand what something like Abu Ghraib does to our image and not just our image but to people's desire to really hold onto America as something different. I understand that. I understand it fully. It is one reason that it was so hard to watch and so hard to respond to and so hard to know exactly what to say. It is a rare thing that the President of the United States apologizes for something like that, but he did, and I thought it was the right thing to do.

I know too that we are struggling with the fact that we are in a different kind of war even than World War II when there were certainly terrible atrocities, but now a war in which we are trying to prevent the next attack through information by the people who are captured on these battlefields and the like and people who blow up innocent civilians and who drive airplanes into buildings and who behead people and who slit the throat of Daniel Pearl. It is a different kind of war. I think you would agree with me that these are enemy noncombatants that we—

Senator DODD. Do not become like them.

Dr. RICE. No.

Senator DODD. Do not become like them.

Dr. RICE. I agree. And Senator, if we were like them, we would not have punished the people for Abu Ghraib. If we were like them, the President of the United States would not have apologized. If we were like them, we would not have so much concern about how not to have that happen again.

Senator DODD. All right.

Dr. RICE. But may I just say one final thing about this? Because probably the answer to the tensions between trying to live with the laws and the norms that we have become accustomed to and the new kind of war that we are in is to really have a kind of international conversation about this problem. I have been talking to other national security advisors when they face terrorism. I have talked to attorneys general and interior ministers around the world. They feel the tension too, and we would like to look—I know Judge Gonzales mentioned this. We would like to look at what other kinds of international standards might be needed to deal with this very special war because we are a country of laws. We are going to maintain them.

Senator DODD. Well, make sure you come up here and talk with us on these treaties because they are important. I am sure the chairman would underscore that point as well—

Dr. RICE. Absolutely.

Senator DODD [continuing]. —that we would like to be involved.

Let me jump quickly because the time is going to move here. Senator Martinez and others have raised the issue of Cuba. Again,

no one is here apologizing or defending Fidel Castro at all. But one of the things that struck me—again, your opening statement talked to this, and I think you rightly point out in 1989–1991, I remember being in the Senate and watching those miraculous events occurring. You are so right to point out this just was not a victory of that year. This was a victory that took years to achieve.

And one of the things that I think contributed to it—and I presume you would agree with this—in addition to our military prowess, which was very important, was the amount of access we had, the amount of information we punched into those eastern bloc countries that gave hope to people like Lech Walesa and Vaclav Havel and others who, because there was that communication and contact back and forth and I think contributed to the collapse of the Soviet Union—you might argue it was not an overwhelming reason, but it certainly was a major factor.

What troubles me here is that we are going the opposite direction in a sense in dealing with Cuba in many ways. I hear no idea to change anything at all. Tonight, if I walked out here, I could go to any country in the world if they would accept me. I can fly to Iran. I can go to Iraq. I can go to North Korea. They may not let me in. But my own Government will let me go there. The only place in the world that I cannot go to, nor can a Cuban American to see their family, is the island nation of Cuba.

Why do we make such a difference or distinction on that country if we are trying to break down those barriers and to demonstrate to the Cuban people that we are different? Why is it we deny Cuban Americans, second and third generations, the opportunity to go and visit their families, put limitations on the remittances that go back? Is there not a greater possibility, given our earlier experience in the latter part of the 20th century, that we might have a greater chance of effectuating change there than keeping it isolated and closed off?

Dr. RICE. Well, Senator, there are those who believe that that is the case.

Senator DODD. Well, did it not work in part in eastern Europe?

Dr. RICE. Well, it worked in part in eastern Europe but it worked in part in eastern Europe after a long time in which those countries were actually quite isolated. It did not happen overnight in eastern Europe.

Senator DODD. We had Radio Free Europe. We had all those activities.

Dr. RICE. These were countries that it was possible to actually access a civil society. It was possible to actually access university students and the like. Castro keeps such a tight lid and such a tight handle on that regime—

Senator DODD. That is another point. Let him turn me down if show up to go in. Why are you telling me I cannot go? I can go to North Korea. Right? I can fly to North Korea. You would let me go there, would you not?

Dr. RICE. Yes, if you would like to go.

Senator DODD. Yes, but there is nothing that prohibits me from going. I can go to Iran. I can go to Iraq tonight if I wanted to. The only country you will not let me go to is the island nation of Cuba. Why does the—

Dr. RICE. Because the Cuban regime would use your travel and the skimming off the top of that travel—

Senator DODD. And North Korea would not do that?

Dr. RICE [continuing]. —to continue to strengthen the hold of that brutal regime. And that is what Castro does. He uses humanitarian efforts by people with their families. He uses travel. He uses every possible way to skim the money to—

Senator DODD. But, Doctor, you are not going to tell me you are going to make that distinction there and tell me that all these other places I mentioned are not equally as brutal and can be more brutal. In fact, some of them are directly involved in exporting terrorism, shipping weapons around the world. You cannot say that about the Cuban Government at this point. They may have earlier but not today.

Dr. RICE. Senator, not that many people are going to go to North Korea.

Castro has made a living of siphoning money off of travel, off of mules that he sends, off of humanitarian packages. The Cuban regime needs to be isolated in this hemisphere.

Senator DODD. All right. The point is—enough said.

Thanks, Mr. Chairman. Thank you.

The CHAIRMAN. Thank you, Senator Dodd.

Senator Chafee.

Senator CHAFEE. I pass.

The CHAIRMAN. Senator Chafee passes.

Senator Kerry.

Senator KERRY. Thank you very much, Mr. Chairman. Thank you, Dr. Rice, for your patience and hanging in here.

I have got a few areas of inquiry that I would like to pursue if I can.

Number one, have you read this article in the New Yorker by Sy Hersh? Are you familiar with it?

Dr. RICE. I am familiar with it, but I have not read it, Senator.

Senator KERRY. Coming wars. Just to quote from it for a minute, he talks about the administration conducting secret reconnaissance missions inside Iran at least since last summer. He talks about the administration looking at the region as a huge war zone, and next we are going to have the Iranian campaign. This is a quote from the Bush administration former high level intelligence official. "Next we're going to have the Iranian campaign. We've declared war on the bad guys wherever they are, the enemy. This is the last hurrah. We've got four years and want to come out of this saying we won war on terrorism."

I am not going to ask you to comment on anything classified, but I am going to ask you to comment on this. A former high level intelligence official told me: "They don't want to make any WMD intelligence mistakes as in Iraq. The Republicans can't have two of those. There's no education in the second kick of a mule. The official added that the government of Pervaiz Musharraf, the Pakistani President, has won a high price for its cooperation: American assurance that Pakistan will not have to hand over A.Q. Khan, known as the father of Pakistan's nuclear bombs, to the IAEA or to any other international authorities for questioning." Do you know whether or not that is accurate?

Dr. RICE. I will just reiterate what was said about that article by the Defense Department. It is filled with inaccuracies and its credibility is sorely lacking. The——

Senator KERRY. Well, on that specific point——

Dr. RICE. Let me just speak to the handling of A.Q. Khan. What we have been concerned about is that we are able to get the information that we need to break up the network. We have not made any deals about what happens with him.

Senator KERRY. I am sorry.

Dr. RICE. We have not made any deals about what happens with him, but we have been concerned with the Pakistani Government to get access to as much information as we possibly can. This is a matter that is being handled by the Pakistanis. It is not our place to talk about what should or should not happen with the IAEA, and we have not.

Senator KERRY. So what about our own interests and our own efforts with respect to A.Q. Khan?

Dr. RICE. Our own interests are being very well served by the fact that A.Q. Khan is now off the market, that we are working with the Pakistanis to get information about what he knows, very well served by cooperation with several other governments about members of his network. Several of them are in custody. Some will be prosecuted. So our interests are very well being served in this regard.

Senator KERRY. Are they being served if we do not have direct access to him?

Dr. RICE. We believe that we have a working relationship with Pakistan on dealing with the A.Q. Khan matter. At this point we are getting cooperation from Pakistan on what we need with A.Q. Khan.

Senator KERRY. But are they being served if we do not have direct access to him?

Dr. RICE. They are being served at this point.

Senator KERRY. Adequately?

Dr. RICE. We are getting the information that we need to deal with the A.Q. Khan network. Senator, I do not know what we will need to ask in the future, but at this point we have a good working relationship with Pakistan on this matter.

Senator KERRY. And with respect to Iran, are you also denying or discounting any of the allegations in this article?

Dr. RICE. The article is inaccurate.

Senator KERRY. With respect to Iran.

Dr. RICE. The article is, as Defense said, inaccurate.

Senator KERRY. With respect to Iran.

Dr. RICE. Senator, the article does not represent our policies toward Iran or our expectations of policies toward Iran.

Senator KERRY. Coming back, if I may, for a minute to Iraq, what steps are you going to take in the immediacy of your confirmation in the next days, if you have thought about this, or if any, prior to the election, to put in place the kind of political reconciliation that I talked about at the very beginning in the morning? Have you thought that through?

Dr. RICE. Well, the Iraqis are trying to put in place a means for political reconciliation to the degree of what is needed for political reconciliation after the elections.

Senator KERRY. You do not think we have a specific role to play with the Europeans and Arab community?

Dr. RICE. We certainly have a role to play and we have played that role in doing what we can to encourage contacts between the Sunnis and certainly the members of the Iraqi interim government. We have tried to help with that. We have tried to facilitate it.

You know, they have their own contacts that are, frankly, much better even than our own. They are reaching out to the tribal leaders. Sheikh Gazi al-Yawar, the President of Iraq, is himself an influential leader in Mosul, an influential Sunni, and as he says, many members of his tribe are also Shia. He is actively engaged. We help them, we talk to them, but really but this has to be an Iraqi process. I do not think we want this to be an American process.

Senator KERRY. Oh, I agree with that completely, which is really what I am getting at, because it has been, it is, and is still perceived as such. This was what was raised with me with almost all of the leaders that I met in the region. It is the urgency of the sense of reconciliation of coming together. I do not think they believe it is going on, and I am just reporting to you what I gleaned in the last few days, real serious concerns that it is not going on. And within the country itself, deep concerns.

I cannot remember if it was in Mosul or Kirkuk the governor—incidentally, just a tribute to a lot of the Iraqis—and I agree with you. So many of them want to vote. So many of them want the freedom. We understand all that and I am very sympathetic towards it.

But this fellow was the governor. His brother had been killed. His son had been killed. His cousin had been killed and he still assumed the role of governor, which says something. But he and others were all complaining about just sort of the lack of communication, lack of contact, sense of divorce and alienation from Baghdad and so forth.

So the urgency seemed to leap out everywhere, whether it was Sunni, Shia, secular, religious, whoever I met with. And especially leaders in the surrounding countries who feel that a major effort is going to be necessary, almost a convening—I am sure you are familiar with it, but whether it is right in the focus right now—but in the 8 June resolution in the United Nations, section 5 specifically invites the Government of Iraq to consider how the convening of an international meeting could support the above process, the above process being the forming of the transitional government and this kind of reconciliation I am talking about.

So you really have this already solidly laid out within the resolution itself, but there does not seem to be the kind of organizational effort or initiative or leadership on the table to say this is what we are going to do and there is a post-election process so you avoid any kind of post-election chaos.

Dr. RICE. Well, I think that they are very focused. I really do think that they are very active in reaching out. All that we hear

from the embassy and from others about the contacts is that they are almost constant at this point.

It is an Iraqi process. Some of it is transparent to us. Some of it is not, but that they are actively engaged in trying to reach out to all aspects, I have no doubt about that.

As to the international piece, we have had one international conference and the King of Jordan just recently on January 6th brought people together. The Sunni leaders from around the world or around the region, like the King of Jordan and like the Saudis and others, are speaking out. When the meeting took place, the Egyptians spoke out. When we recently had a meeting in Egypt, the grand religious leader of Egypt spoke out to encourage Sunnis to participate in the vote. I think there is a lot of activity.

Now, as to the post-election period, how to bring about a process of reconciliation after what will be a difficult and probably imperfect election, but nonetheless a tremendous step forward for the Iraqi people that they will hold this election, that is a process that I think the Iraqis themselves are discussing and trying to come to terms with how they are going to use the process of putting together the transitional assembly and then the process of writing the constitution to begin to overcome their divisions.

But I have to say, Senator, I have been impressed with the degree to which they recognize the importance to use this next step as a step in the process of national reconciliation. They are not saying we are going to have elections and that is it.

Senator KERRY. Well, I know they are not saying that, but with all due respect, I was in Jordan the night before that meeting. I met with several of the foreign ministers who were at that meeting, including the Syrian, may I add. You have been pretty tough on Syria here today, but Syria tried to cooperate and send its foreign minister and specifically stood up and said, yes, the elections ought to take place. Each of the foreign ministers that I met with there, as well as King Abdullah, as well as President Assad and others, talked about this Sunni alienation, as well as intimidation, but alienation beyond the intimidation.

There is a lot of curiosity because there is such a history here. I do not know if you have had a chance to ever read a book I happen to read going over there. It was *Desert Queen* by Gertrude Bell. You read about her meetings in Cairo in 1919 and she is sitting there talking about Mesopotamia—Iraq did not exist—and how they were going to divide up completely separate interests between Shia, Sunni, Kurds, Jews, Christians, et cetera, none of whose interests mixed. We are doing the same thing.

Dr. RICE. Well, Senator, I think it is better than that. This would not be the first time in history that countries through a process of democratization, through a process of building institutions start to overcome differences that seemed irreconcilable in the past. This would not be the first time that that has happened. We are watching a process in Afghanistan where precisely that is happening, and I do not think you would have bet on Afghanistan to be able to carry that forward either.

Senator KERRY. Actually I did.

Dr. RICE. Good.

Senator KERRY. And I supported that, if you will recall.

Dr. RICE. I know you supported it, but there were many people who did not think that they would ever reconcile Pashtun and the various ethnic groups of Afghanistan.

Senator KERRY. But they are very different in a lot of ways, and that is what concerns a lot of people who are struggling with this now.

Look, I do not pretend to be an expert, but I know how to listen to people who have lived there all their lives and who talk through the history. I think they all have an interest in seeing things stabilized and work. I come at this from the position of I want it to work. We all want it to work.

But I am just relaying to you that there is a deep-rooted skepticism in the region among people who are potential players and existing players, some more visible than others in some countries and some very much on the line like Jordan or Egypt who are deeply concerned about the lack of a sense of how this reconciliation itself is going to take place.

Dr. RICE. Well, what we have been saying to them is that they can translate that concern into action because this is an Iraqi process, but it is also a process that can include the neighbors. In recent weeks, I do think that the King of Jordan and others have made more efforts to reach out to Sunnis themselves and to be part of the reconciliation effort.

It is one thing for them to express concern. It is another thing for them to realize that they actually have a role to play in the reconciliation and stabilization of Iraq. And I think we are beginning to see that.

Senator KERRY. But it is another thing also for them to put their political necks on the line when they have seen a series of, frankly, unilateral and, to them, insensitive steps taken that have worsened the situation and not made it better. For a population in Jordan that is majority Sunni and for a population in Egypt, majority Sunni, likewise in Saudi Arabia, this is complicated. So it does not come easily to step in if they do not see how it is going to play out, which is why I am saying this international effort. And I heard it in Europe from the European leaders likewise. I think there is a readiness for it, and if I were you, I would embrace it and want to get in there. And I think you will be surprised pleasantly at the possibilities. But if we stand back and we are not willing to share both decision-making and listening, I think we are going to invite more problems.

Dr. RICE. I appreciate that, Senator. I just want to assure you that we are reaching out and we are encouraging international partners to be as active in Iraq as they possibly can be. There has been some hesitancy. I think the security situation has made some people uncomfortable about certain kinds of activity. But we are all hands on deck. We believe very strongly that a free and democratic Iraq, a stable Iraq is going to be in everybody's interest, and the opposite is true. If Iraq does not find stability, then that is going to be to everybody's detriment. And that is the message that we have been carrying, and I think that after these elections, we will try to carry it even more strongly.

Senator KERRY. I do have some more questions, but I see my colleague is waiting also. So I will pass to him and then I will come back.

The CHAIRMAN. Senator Voinovich.

Senator VOINOVICH. I am just staying here to keep the Chairman company.

I pass on my questions.

The CHAIRMAN. All right. Senator Voinovich passes, and we revert back to Senator Kerry.

Senator KERRY. Thank you.

North Korea. There are a lot of observers, and I heard this throughout the campaign and we obviously went back and forth on the subject of Six Party versus alternatives. Your predecessor, Secretary Powell, at one point announced that the administration was going to proceed forward with bilateral talks following up on the Clinton administration, and even while Kim Dae-jung was here, the President announced otherwise from the Oval Office. Since then, we went through a period where there was no discussion at all, no dialogue at all, and then finally under pressure, the Six Party Talks came together. But generally speaking, observers have indicated to me that those Six Party Talks are really waiting for U.S. leadership and for a change in U.S. position that moves it forward.

Do you have any feeling at this point that you might be prepared to recommend to the President or that the President will and you will engage in bilateral discussions that might try to resolve this question of nonaggression versus progress on the nuclear program?

Dr. RICE. I think, Senator, that the North Koreans should be well aware that the United States has no intention to invade them or attack them—we have said that—and that there are multilateral security assurances that are available to them if they choose to take them. Now, obviously, if there are multilateral security assurances, the United States would be one of the parties to those security assurances.

We did put a new proposal on the table at the last round of the Six Party Talks. The North Koreans were unresponsive. Some say that they wanted to bide their time a bit and that they will get back to us now that they are trying to position themselves for the President's second term.

But I really do think that we have to step back and recognize that what happened in the '94 agreement—and by the way, at the time it was probably the right thing to do, but we know now that the North Koreans, within just a couple of years perhaps, were violating that agreement by pursuing a separate route to a nuclear weapon, a highly enriched uranium route.

Jim Kelly, the Assistant Secretary for Asia, was all set to go to North Korea and say here is a bold approach on how we can change the nature of North Korean/U.S. relations. And it had all the things that you might imagine in it about what role we might play in economic assistance, what we could do in humanitarian assistance, so forth and so on.

On the way to that, we learned in a definitive way that was not available to the Clinton administration about this HEU program. So when Jim got there, he told them we also know you have an

HEU program. First they admitted it. Then they shut down. And the bilateral route at that point was really closed to us, and it had not been effective.

Our strong view is that the Six Party Talks has the advantage of not letting the North Koreans play us off against the others. It has the advantage of having China at the table, and China has much greater leverage with North Korea than we will ever have. And it has the advantage of having the parties in the region work together on a serious security problem.

Now, I am hopeful that the North Koreans, seeing no other option but to recognize that they are going to have to give up their nuclear weapons program in a verifiable way, that they are going to be persuaded to come back to the talks.

But as to the question of what they have to fear from the United States, the President has been very clear that we do not have any intention to invade them, any intention to attack them, and that there is another path that could be there for them, but the roadblock on that path is the North Korean program. So sometimes there is a tendency to think that the problem is U.S. policy. The problem is North Korean regime that has not yet made a fundamental choice, and we just have to press them to make a fundamental choice.

Senator KERRY. That is different from what one hears from some of the other parties to the talks themselves who believe that we have not put something sufficient on the table. Now, we are not going to iron this out here and now, but I would love to pursue that with you at some point in time.

I mean, if that is true and they are now, let us say, up to the published publicly number of eight weapons and it is again, as we have said about Iran, unacceptable that they do this, what do you view as the options that are on the table?

Dr. RICE. Well, we still believe that this is something that we can resolve diplomatically. We are committed to that course. Of course, the President never takes any option off the table, but I think we all know that this is something that needs to be resolved diplomatically.

Senator KERRY. Given the intransigence and the cheating, why does this lend itself more to being resolved diplomatically than Iraq?

Dr. RICE. Because, Senator, despite the problems with North Korea, it is actually not sitting in the middle of the Middle East. We have not gone to war with them twice in recent years.

Senator KERRY. Well, I am talking about before we went twice and we were working on once.

Dr. RICE. Well, they invaded Kuwait. That was the reason—

Senator KERRY. No, no, no. I am working after that. During the WMD inspection process.

Dr. RICE. Well, the WMD inspection process was simply not getting anywhere. I think the inspectors will tell you that while they were in the country, they were able to make some headway, but of course, Saddam Hussein—

Senator KERRY. I think the inspectors said—I do not want to go back and redebate it, but they said they were partially in compliance and partially out. That was the last report of Hans Blix.

Dr. RICE. Well, partially was not good enough——

Senator KERRY. Well, I understand that.

Dr. RICE [continuing]. ——when you are talking about somebody who had used weapons of mass destruction. And so we could not accept partial compliance.

But you asked me, Senator, what is the difference, and my——

Senator KERRY. Well, the difference is why could you not have gotten full compliance. You do not know the answer to that because you made a different decision.

Dr. RICE. Well, I do not think you were going to get full compliance from Saddam Hussein.

Senator KERRY. We know you do not think that.

Dr. RICE. Well, with American and coalition forces building up on his shores, he still decided not to comply with his international obligations. So that is pretty good evidence that he was not going to be convinced to comply.

Senator KERRY. But again, this goes into process, which I do not want to really go to for a number of different reasons. I am just trying to find the root of your confidence about this resolution with North Korea.

Dr. RICE. Oh, I did not say that I was confident that it would be resolved. I said that I thought we still had room for a diplomatic solution. We also, of course, have a vibrant deterrent on the Korean peninsula in the person of our alliance with South Korea.

But if anyone is going to do anything about the North Korean nuclear program, it is going to be the combined pressure of its neighbors, not the United States alone. When we put the proposal on the table, one that, by the way, was discussed and vetted and talked about with our closest allies, Japan and South Korea, before we put it on the table, people did think that it was a step forward. The North Koreans have not responded. We will see if we can get them to respond.

What I had really hoped that they would see is that there is another path. They do not have to be on this path, but they are going to have to recognize that there is no good path in the international system as long as they try to hold onto their nuclear weapons program.

Senator KERRY. And how do you distinguish that from Iran?

Dr. RICE. From Iran?

Senator KERRY. Yes, and the possibilities there.

Dr. RICE. Well, for one thing, I think with Iran we are dealing with a country that is not nearly as isolated as North Korea. The Iranian people are not going to eat bark as the North Koreans do, and so I think that we have some other instruments of pressure, if we are willing and able to mobilize them, on Iran.

We are also in a somewhat earlier stage with Iran, and the IAEA, I think, is starting to try to function there in an effective way.

We have some bilateral ways to try and deal with the Iranian nuclear program. I mentioned earlier that the Russians and their requirement with the Iranians that they sign the additional protocol and bring back the spent fuel.

We simply have different tools with Iran than we had with North Korea and different tools with North Korea than we had with Iraq. That is the nature of dealing with these very different regimes.

Senator KERRY. Do you believe that we would be better advantaged with respect to Iran if we were to be either leading or at least joined into more directly and openly with the British, French, and Germans in their initiative?

Dr. RICE. I think the British, French, and Germans know that we are coordinating with them, that we are skeptical that this is going to work, but we certainly hope that it is going to work. We will see how far the Europeans get. Someone needs to test the Iranian willingness to live up to their international obligations, and that is what the EU-3 are doing.

Senator KERRY. Why not be part of it?

Dr. RICE. I think it is always very important, Senator, that the Iranians know that the United States is not prepared at this point to take away the possibility that the real course ought to be here to declare them not in compliance and take them to the Security Council.

Senator KERRY. Do you not always have that option anyway? Is the option of sanctions and greater action not always on the table?

Dr. RICE. I think we think the best course right now, Senator, is to EU-3 see if they can get this agreement. We are skeptical about it.

Senator KERRY. Is this a good cop/bad cop routine, or is it something more thoughtful than that?

Dr. RICE. I think it is probably not a good thing for us to be involved in negotiations about which we are skeptical. Let us let them explore with the Iranians, and we will see what steps are needed by the United States.

Senator KERRY. Is it possible that your own skepticism breeds a failure?

Dr. RICE. I do not think so. I think if the Iranians are going to live up to their international obligations, the EU-3 have given them plenty of reason to do it.

Senator KERRY. The Iraqi Stabilization Group that you were put in charge of October 2003 by almost everybody's judgments has disintegrated. People have left it. It has not been successful. I wonder if you would speak to that. There were a half dozen agencies or so that were supposed to identify and resolve problems. How would you characterize the work and effect of that group?

Dr. RICE. The Iraq Stabilization Group, Senator, was actually an internal NSC group. It was not an interagency group.

Senator KERRY. Well, you had a half dozen agencies that were part of it that were reporting to you as part of it, were they not?

Dr. RICE. No. The role of the Iraq Stabilization Group was to improve the information flow during the period of time when we had the CPA in place. It was to try and de-bottleneck back here when there were problems for the CPA. We were very active and I think played a very important and useful role in the governance issues so that Bob Blackwell, who at the time was heading the Iraq Stabilization Group on governance and had an under secretary's group on governance, was very active in working with Lakhdar Brahimi

in bringing about the Iraq interim government. So that was a very successful outcome of having the Iraq Stabilization Group.

But it was a group that was really there for the period in which the Coalition Provisional Authority was moving from one that had been almost exclusively in the chain of command for the Defense Department to one that needed more interagency back-stopping back here. Many of those functions have really now been taken over by the United States embassy and by the State Department.

Senator KERRY. Well, in the Washington Post—maybe they got it wrong, but they characterized it as the new group to be led by National Security Advisor Condoleezza Rice and drawn from more than a half dozen cabinet agencies—

Dr. RICE. Let me just make the distinction that the Iraq Stabilization Group was an intra-NSC group.

Senator KERRY. No, I understand that.

Dr. RICE. It reached out to and tried to help the CPA by bringing together interagency teams when it was necessary to try and get something done. We tried to improve the information flow. We tried to improve the coordination back here. We tried to de-bottleneck for the CPA. When the CPA needed some help, for instance, on the currency reforms, we worked with the Treasury to get the right people out there from Treasury to do the currency reform, which was actually very successful.

Senator KERRY. Was this an effort to try to straighten out what the military itself was not able to do or not doing?

Dr. RICE. It was an effort to move from a stage at which it had been almost exclusively Defense Department and military to a period in which you needed better interagency support for what the CPA was doing.

Senator KERRY. How successful would you say it was?

Dr. RICE. I think it was successful in a number of ways. If you look at several projects, the currency reform I think was very successful. I think that we were very successful on the governance issues. Again, Bob Blackwell, who was the chair of the governance Iraq Stabilization Group, was very active with Lakhdar Brahimi in bringing about the Iraqi interim government. I do not think it would have happened without the activities of that group. So it had its successes. Bottlenecks also remained and we continued to work on them.

I think it is a much smoother system, frankly, with an embassy and an ambassador who can oversee those things with the back-stopping of the State Department and the interagency process of which the State Department is in the lead.

Senator KERRY. Has been?

Dr. RICE. I think it has been smoother—

Senator KERRY. Smoother.

Dr. RICE [continuing]. —with an embassy in place that can be the coordination in the field. We have always had the view that most of the interagency coordination ought to actually be done in the field.

Senator KERRY. How does that reconcile with the pretty strong opinion you had that you wrote in Foreign Affairs when you said the President must remember that the military is a special instrument? It is lethal and it is meant to be. It is not a civilian police

force. It is not a political referee. It is most certainly not designed to build a civilian society. What happened?

Dr. RICE. Well, we found ourselves building a civilian society, and we frankly as a country do not really have the tools outside of the military to do it, which is why the work that Senator Lugar has done in sponsoring this office of reconstruction and stabilization is such important work. We need a civilian corps that can do the kinds of things that we had to put together in a really rather ad hoc fashion in Afghanistan, in Iraq, even frankly in Bosnia-Herzegovina going all the way back. This has been a need, a set of skills that I think we will want to have in a more coherent and directed way. That is why I think we have to give very great support to this office of stabilization and reconstruction. It would have been very helpful to have it in the past couple of years.

Senator KERRY. Do you think that that misjudgment about what it can or cannot do—and I say misjudgment in broad terms—has complicated choices that you may face and the President may face today as a result of the stretching pretty thin of our military forces, numbers of divisions, active duty, equipment? The commanders over there tell me that in a matter of months, you put on several years of wear and tear on equipment. There is going to be a huge equipment deficit at the back end of this that America has yet to really see the bill for. I gather 1 year there is worth 7 years on an aircraft.

Dr. RICE. Well, we have been at war and we have had to use our forces and use them hard. I think that Secretary Rumsfeld is giving a lot of attention to how to deal with the obligations that we have and the structure of our forces. We believe we can continue to meet obligations that we have globally with the forces that we have, but there is no doubt as to the matter of how one transitions from war to peace and that intermediate stage that we need new skills and new organizations in order to be able to do that. The military fights and wins the war. There is a period of time, I think appropriately, where the military is really the dominant force on the ground. But as you move to civilian reconstruction, you need people who understand legal reform and understand how to build a civil justice system and a police system, how to change a currency, and that is what we are going to try to build.

Senator KERRY. I know that Senator Lugar has long been concerned about this. A lot of us on the committee have. But I must say to you that I am deeply concerned. I recommended that we add another 40,000 troops. I gather there is going to be an addition of some 30,000 without formally creating new divisions. But I think we are way behind the curve in terms of this civilian side combined public diplomacy component, and I do not think the budget begins to match what it needs to. And when you look at the other side of the costs I just described, the back-end military equipment, et cetera, the American taxpayer, to pursue this properly, has a—it goes back to what Senator Biden was saying earlier about kind of telling the American people what is expected of them. I do not personally think it is all on the table sufficiently when you combine the needs of the counterproliferation efforts with various challenges of the human condition with various challenges of the narcotics and

other environmental and other kinds of efforts that are all sort of growing rather than receding.

And then you add it to what Senator Sarbanes has been saying about our overall fiscal challenge here. We have some very, very tough choices ahead of us and I hope the administration and you will really put them to the Congress and to the American people because the outcome is obviously gigantic, but we have got to be on the right track.

With that in mind, I would just like to ask you a couple more quick things, and I appreciate your patience.

You wrote or said—I cannot remember whether it was in a speech—that the terrorist ideology is the direct heir to communism and nazism and fascism. That struggle against terror is fundamentally a struggle of vision and values. Do you really see terrorism as an ideology? Is it not really anarchy?

Dr. RICE. Senator, I think it is really—terrorism is the tool of Islamic extremism. That is really what I was referring to in that article.

Senator KERRY. You would not really think of it as an ideology.

Dr. RICE. I think of Islamic extremism as an ideology.

Senator KERRY. So do I. Terror is the—

Dr. RICE. Right. We have talked a lot about this. The fact is that early on what we have had to do is to talk about terrorism in order to delegitimize it, and I think we are doing a good job internationally of delegitimizing it. Saying that no cause can be served by the use of terrorism is an extremely important message. But there is no doubt that when you talk about al Qaeda or you talk about the threats to the Middle East or the threats to the Pakistan or what operated out of Afghanistan, you are talking about a virulent form of extremism coming, in large part, out of the Middle East, which is a perversion of Islam.

Senator KERRY. Do you believe that we can do a better job than we have been of bridging that gap, of reaching out to moderate Islam, bringing mullahs, clerics, imams, et cetera together, along with leaders of other religions and having a much more concerted global dialogue on this?

Dr. RICE. I do think that interface efforts are very important and should be done. I think a lot of it is going on in the private sector, and I actually am not sure that this is something that the U.S. Government would do better than letting the private sector—

Senator KERRY. Well, is it not really a part of public diplomacy? There is no way to—

Dr. RICE. It is certainly a part of public diplomacy, Senator, but I often think that we are too narrow in our definition public diplomacy if we only think it is something the U.S. Government is going to do.

Senator KERRY [continuing]. —Well, this will be the first time this administration left a faith-based analysis lying by the wayside.

Dr. RICE. Well, the faith-based analysis here I would agree with, and I think the need for interfaith dialogue is important. I would hope it would happen in the society more broadly.

But on the debate that is going on within Islam itself, that is also an extremely important debate. We cannot be the ones who

carry that debate. Moderate imams, moderate mosques, moderate universities have got to do that.

Senator KERRY. Of course, but they're anxious. I met with one of the principal leaders of Islam in Cairo, and they are fighting their own struggle. I think they are interested in seeing us and others reach out in a way that tries to help bridge the gap because it has serious implications in their countries.

Dr. RICE. I could not agree more, and we should be doing that. We are trying in some ways. The broader Middle East Forum, the forum for the future, allows for moderate voices, civil society, business groups, other groups, to come together in kind of space that they can engage each other, and I think that is very important.

You take a country like Pakistan, it has come a long way. It was, 3 and a half years ago, on the brink of really going completely to extremism, with its ties to the Taliban, with thorough penetration of al Qaeda. If you look now at the way that they fight instead of al Qaeda and if you look at one of my top 10 speeches that any leader has given in recent years, it was a speech that Musharraf gave on December 12th after the attack on the Indian parliament in which he said that extremism and modernism cannot exist side by side in Pakistan. That has given rise to very promising developments, if you think about it, in South Asia. As India and Pakistan start feeling a better future, I think in part that has been fueled by Pakistan's unwillingness to be associated with extremism and India's democracy and a very healthy set of developments there. They are small steps still and it is still fragile.

Senator KERRY. Yes, they are and I agree with you. I hope you will really take a look at this. I think it is an important mark of the current leadership because there are such political and obviously security overtones attached to this so that it cannot be left exclusively to the realm of whatever religious initiatives are going to take place.

And secondly, it is paramount because we have an urgent need to isolate the terrorists rather than having them isolate us or having extremists isolate us. In many parts of the world, we have been the ones. I think you know that.

A couple of last questions. You also wrote at one point that you moved our Nation beyond antiquated theories like mutual assured destruction and moved forward with the deployment of ballistic missile defense. To the best of my knowledge, obviously, not to be cute, but we do not have a ballistic missile defense yet. And the outlook as to when we might have the kind of defense that really obviates mutual assured destruction is anybody's guess.

Do you really believe it is "antiquated" after your experience as a student of the Soviet Union and what we succeeded in doing and what Ronald Reagan succeeded in doing in all of this?

Dr. RICE. Senator, it was meant really to reflect a change in the relationship between the United States and Russia. I do think mutually assured destruction was antiquated in regards to the United States and Russia. With the United States and the Soviet Union, there was nothing—

Senator KERRY. But you are not referring generically—

Dr. RICE [continuing]. —coming between us but mutually assured destruction. The change here was to say to the Russians that

when we are no longer enemies, mutually assured destruction does not make any sense. We need to have a different kind of relationship.

And by the way, on ballistic missile defense, we will, I think, have initial operating capability fairly soon, but the important thing is that we are exploring the technologies now, working toward the development of the systems. We are getting a lot of interest in these systems from some corners that one might not expect. We have even had discussions with the Russians about what we might do to deal with the threat of ballistic missiles.

Senator KERRY. Well, I support the research and the development. I am skeptical of a rapid deployment prior to its being adequately tested and proven, particularly given the financial concerns that we face as a country. But obviously, we ought to pursue it, and if it is feasible, I think there are ways to make it safer.

Dr. RICE. Well, we will deploy. We actually have begun deployment and will continue deployment because we believe that sometimes it is important to start getting the initial capability in place.

Senator KERRY. If I can just say, summarizing, a couple of things. Number one, you said earlier that you support the State Department's new office of reconstruction and stabilization so that our skills in nation-building can be honed and we can do the job. And we need to do that, and all of us agree. But regrettably, the State Department itself issued a report saying that its own plan for that kind of stabilization and effort in Iraq was ignored.

So we have had a process here, and I am not going to go through it all. But I think a lot of us are hoping—let me just take this instance to say something about your predecessor.

I think Colin Powell pushed as hard as he could. I think he wanted to do those things. I think he is obviously an exceptional public servant. We owe him a great deal, a great debt of gratitude for that service. And I have great respect for him. I know that he fought for things and was skeptical about things that others were more certain of and went forward notwithstanding his advice and counsel. And I know that the State Department had very significant plans and concerns that, had they been adequately embraced and adequately implemented, might have really saved us not just lives, but money and prestige and relationships in the world.

You do not have to comment on this, but you pick up the newspapers almost anywhere and you read about how the President is going to be going to Europe shortly in order to repair relationships. Now, you might not use that language, but the language is used universally around the world.

So my hope is—and I say this with the deepest commitment to working in a bipartisan way when we can. When we cannot, when criticism is appropriate, I intend to level it. But after 20-plus years on this committee and working with people like Senator Lugar and others and watching the balance shift here so many times, we all know that we are strongest when we are together. We are strongest when we are bipartisan. Historically in the old days with Senator Vandenberg and others, foreign policy picked up in a bipartisan fashion almost always and politics ended at the water's edge.

I think that is how it ought to be if it is properly done, but that requires a level of consultation, a level of respect, a level of listen-

ing and of dialogue that just has been absent, unlike any period of time since I have served here in the Senate. I think there was greater dialogue and greater discussion and greater trust and less ideology with President Reagan, with George Herbert Walker Bush, and going back in history.

So my hope is that you are going to herald a new period. Everybody knows the trust that the President has in you. Everybody knows the closeness of your relationship. You have the President's ear. You would not be here. So we are all really asking for an opportunity to try to bind the wounds up, bring the country together, find the common ground.

I think the world is waiting for a different approach, and I am confident that if the President offers the genuine opportunities for this kind of mutuality, not just here but abroad, you will be able to advance the interests of our country and of the planet. I think that history can be written in a different way than it has been in the last 4 years.

So I hope you will seize that opportunity and I hope that we have the opportunity to work together. I pledge to you that if you reach out and if there are ways to find that common ground in the interests of our country, I am prepared to meet you halfway, which I think we need to do.

Dr. RICE. Thank you, Senator, and I fully accept and look forward to working with you.

Senator KERRY. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Well, thank you very much, Senator Kerry, and that is a good note on which to conclude today, that there is a reaching out to work together. I thank you, Dr. Rice, and members of the committee for over 9 and a half hours of testimony today. We look forward to seeing you again tomorrow morning at 9 o'clock. Providence willing, we will have a business meeting at 10:00.

Dr. RICE. Thank you.

The CHAIRMAN. The hearing is adjourned.

[Whereupon, at 7:45 p.m., the committee was recessed, to reconvene at 9:00 a.m., Wednesday, January 19, 2005.]

**THE NOMINATION OF DR. CONDOLEEZZA
RICE TO BE SECRETARY OF STATE**

Day Two

Wednesday, January 19, 2005

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, D.C.

The committee met, pursuant to notice, at 9:02 a.m. in Room SH-216, Hart Senate Office Building, Hon. Richard G. Lugar, chairman of the committee, presiding.

Present: Senators Lugar, Hagel, Chafee, Allen, Coleman, Voinovich, Alexander, Sununu, Murkowski, Martinez, Biden, Dodd, Kerry, Feingold, Boxer, Nelson, and Obama.

**OPENING STATEMENT OF HON. RICHARD G. LUGAR,
U.S. SENATOR FROM INDIANA**

The CHAIRMAN. This hearing of the Senate Foreign Relations Committee is called to order.

We appreciate the attendance of Senators. We appreciate, especially, the attendance of our witness, the nominee for Secretary of State, Dr. Condoleezza Rice. I want to thank Dr. Rice, her staff, and all Members for their diligence throughout yesterday. As has been mentioned, we had over nine hours of testimony, including, I think, very good questions and very good answers. I was just visiting with my colleague Senator Boxer. Almost every point of view of the American public was heard.

We want to continue this morning with another round of questioning from committee Members who have remaining questions to ask. Some do have questions, some do not; and, therefore, a number of Members will pass. We will have a five-minute round. This will conclude at 10:00 o'clock. We've announced to Members that they should anticipate a business meeting and a roll-call vote on nomination, with that activity commencing at 10:00. But, prior to that time, we look forward to questioning.

Now, let me say, from the beginning, at least on my part, I will pass on this round, and I will call now upon Senator Dodd for any remaining questions that he might have.

Senator DODD. Well, thank you very much, Mr. Chairman, and let me join you in commending our colleagues in the committee yesterday, and our nominee, as well. It was a long day. If nothing else, I was very impressed with your tenaciousness to sit at that table and have 18 of us up here raising questions that covered the entire

globe, and matters of deep concern to all of us. And we appreciate your willingness to go through that. It was a long day, but, I think, a worthwhile one, Mr. Chairman, as you point out. And I'm sure our colleague, Senator Biden—I don't know if he's going to be along or not this morning.

I just have a couple of matters I'd like to raise—

The CHAIRMAN. Very well.

Senator DODD [continuing]. —if I may, with you, as this time moves on, of—a little more than ten days ago, Dr. Rice, a disturbing report surfaced that the United States—specifically, the CIA—was making a practice of handing over detainees from U.S. control to a third country for the purposes of interrogation. This process is referred to as “rendition,” I think, is what it's called. And the Intelligence Agency admits to practicing it since the early 1990s. In this report, there are several accounts of prisoners being transferred by the U.S. to certain countries, and then allegedly being tortured during those interrogations.

Last year, I introduced an amendment to the defense authorization bill, part of which would have prevented the Department of Defense from transferring prisoners to third countries without keeping a record of the transfer, and the reasons for it. I wonder if you might comment on this, if you're familiar enough with the practice, and whether or not we might be willing at least to—one, at least, either preventing these renditions from occurring, or, if not, at least keeping some record so we have some way of determining how these people are being treated. Are you familiar—

Dr. RICE. Thank you, Senator.

Senator DODD [continuing]. —with the subject matter?

Dr. RICE. Thank you, Senator. May I just take one moment, before answering the question, just to also thank the Members of the committee for yesterday? I think it was an extensive, some would say even exhaustive, look at the questions that we face in American foreign policy, but I think it was an important day. I appreciate, very much, the spirit in which the questions were asked. And I look forward—and I really meant what I said, and I want to underscore—I look forward to working with each and every Member of the committee in a bipartisan fashion so that we can fashion an American foreign policy for the 21st century that takes advantage of the substantial opportunities before us, recognizing that these are also difficult times for the country.

And I want to thank you, especially, Mr. Chairman, for your leadership of yesterday, and to tell you that I look forward to many other sessions of that kind.

The CHAIRMAN. Great.

Dr. RICE. Senator—now let me turn to Senator Dodd's question—the United States is not permitted to transfer anyone if we think that they are going to be tortured. And, in fact, we make efforts to ascertain, from any party, that this will not happen. And you can be certain that we will continue to do so.

I want to be careful on commenting on intelligence matters, particularly in open session, but to say that we do—anything that is done, is done within the limits of the law. It is done with a recognition that the United States is special, and has special responsibilities, and that we will continue to do that.

As to keeping a record, I would have to demur for now. I don't have enough information—

Senator DODD. If you'd look at that for me, and get back—

Dr. RICE. I will, and I'd be happy to talk with you about it at some point, when we're not in open session.

Senator DODD. Appreciate it. Another one—and I'll—this may be the last, Mr. Chairman, to make sure we have enough time for others as well—mentioned earlier, Senator Nelson, Senator Chafee, and I made this trip in—to South America. And one of the issues, obviously—it came up everywhere—is the contraband issues and the narco-trafficking issues. It's very, very common thing. The economic issue is important, as well. I'm not asking you to comment on this. I'd ask you to pay particular attention to that tri-border area—

Dr. RICE. Yes.

Senator DODD [continuing]. —that Senator Chafee, Senator Nelson, and I spent some time in, that Brazilian, Argentinian, Paraguayan corner where there—it is the—the term “The Wild West,” in terms of contraband issues, and money flowing back and forth, and some very, very important questions. And there needs to be some specific attention, I think, paid to that, more attention than we are right now.

The narco-trafficking issue, there's a great concern about the ballooning effect we've seen over the years, and that is where we've put a lot of attention, as we have, over \$3 billion dollars in Columbia over the last few years. And there's concerns now of this problem reemerging again in Peru and Bolivia, where it was in the past, even parts of Brazil. The issues of Venezuela obviously get effected by these decisions, as well. And there is—really is a need, I think, for a more comprehensive approach to this.

When we had the certification process here, which the Chairman and others will remember, it was a rather difficult process we went through, year end and year out, declaring which countries were complying, or not complying, with our anti-narcotic efforts. It caused a lot of acrimony between countries that would be labeled not being supportive and the like. So we changed that, we dropped that. But we promised, when we did it, that we were going to replace it with something. Just doing nothing about it was not the answer.

And part of what we talked about was developing a more comprehensive approach; whereas, the consuming country, we'd work more closely with the producing, transferring, money-laundering nations, as well.

I would urge you to see if we can't revitalize that. There is a growing concern with the great disparity of resources we're applying to these countries as they battle with these issues, and it's something that really deserves more attention or we're going to find this problem just moving from nation to nation in these countries without really addressing it more thoroughly.

I don't know if you want to comment on that at all, or not, but I'd ask you to really pay attention to that, if you could.

Dr. RICE. Thank you Senator. I will take a hard look at it. We had, in concept, when we had the Andean Initiative, exactly this in mind, of course, which was that if you stop the spread narco-

trafficking in one place, it would find a home in another. And it was intended to be comprehensive, in terms of alternative livelihoods and in terms of economic development to forestall that. But it's a very good point and I'll take a hard look at it.

Senator DODD. Thank you.

Thank you Mr. Chairman.

The CHAIRMAN. Thank you very much, Senator Dodd.

Many Senators have come in since the beginning of the hearing. Let me repeat, we're going to have a five-minute round. Senators are not obligated to use their five minutes. Some will want to pass. In any event, at 10:00 o'clock, Senators, we'll gather for a business meeting on the nomination.

Senator Chafee?

Senator CHAFEE. Thank you, Mr. Chairman, and good morning, Dr. Rice.

I see you're fourth in line for succession to the presidency. And so, this is an important hearing we're having. And also, in that line of succession, the only one that hasn't appeared before the public in any kind of capacity in electoral process, so this is an important process.

Dr. RICE. Thank you.

Senator CHAFEE. Going back to our questions of finding—my questions from yesterday—finding common ground. And as I look back in history—and you're a historian—and the success we had with the thaw with the People's Republic of China, had a lot to do with the exchange of pingpong teams of all things. And I always admired the architects of that doctrine, in that we knew the Chinese pingpong players were probably going to beat us 21 to 2, or something, but that wasn't what was important; it was the start of finding common ground. And I was wondering—in some of my questions you seem to reject that doctrine of finding common ground.

Dr. RICE. Thank you Senator, for giving me an opportunity to answer that. Because, obviously, we need to look for common ground. There is no reason that the United States has to have permanent enemies. We have had circumstances in which there have been major changes in the world. And the Libyan experience shows that—if there are countries that are prepared to forswear behavior that is dangerous to the international system, that we can start down a different path. And I'm glad that you mentioned the pingpong diplomacy, because, obviously, in almost every circumstance, the exchange of people of civil society, of non-governmental actors is often an important tool in thawing difficult relations. And so, I don't want to leave the impression that I would be, by any means, opposed to looking for those opportunities, and I will look for them.

Senator CHAFEE. Can we specifically go back to Venezuela, again? Where can we find common ground?

Dr. RICE. Well, we have, obviously—we talked about the economic relationship yesterday, and there's common ground there. We sit together in the OAS, we sit together in the Summit of the Americas. The point is that the—we don't have a problem with finding common ground. We have, right now, a government in Venezuela that has been unconstructive, in important ways. And I

would just urge that the entire neighborhood, as well as the Venezuelan Government, look at what's happening, in terms of democracy in Venezuela, in terms of Venezuela's relations with its neighbors. But this is a matter of sadness, not of anger.

Senator CHAFEE. And with Iran, can you—is there any potential for finding common ground with Iran?

Dr. RICE. Well, I think the problems with Iran are well known. And we've tried to make them known to the Iranian government—often through third parties, sometimes when we've been in four together.

This is just a regime that has a really very different view of the Middle East and where the world is going than we do. It's really hard to find common ground with a government that thinks Israel should be extinguished. It's difficult to find common ground with a government that is supporting Hezbollah and terrorist organizations that are determined to undermine the Middle East peace that we seek.

So I would hope that the nuclear issues will be resolved. It's extremely important to the world that Iran not acquire a nuclear weapon. And we are working closely with the European Union on that. I would hope that Iranian Government does something to make clear to the world that they're not going to support terrorists who are determined to undermine the two-state solution in the Palestinian—in the Holy Land. And those are barriers to relations, and we just have to be honest about it. It's a very different view. Not to mention, by the way, that a theocratic government that has a view that the mullahs ought to rule, that has no rights—or it has a human-rights record that is really appalling, and that treats its citizens, its women, in that way is not a regime with which I think we have very much common ground, particularly given the way that we would like to see the Middle East develop.

Senator CHAFEE. It seems to me, going back into history, the same occurrences were—with the People's Republic of China, at the time—they were arming the—in the middle of the Vietnam War, arming our opponents in that war. I mean, there was every opportunity to accentuate our differences and everything wrong with them, but, nonetheless, through this thawing, this process of exchange and ping-pong diplomacy, now the two countries are not killing each other.

And, interestingly, on Iran, I went to a conference in Bahrain, earlier in December, and the Iranians were there, and I looked up, out of curiosity, "Who are these delegates from Iran?" And each of the three delegates from Iran had been educated in the United States—one at the University of Houston, one at the University of Cincinnati, and one at Michigan State. And I wasn't surprised. There is common ground. But, given every opportunity to express even the slightest finding of that common ground, I find that you, instead, fall into accentuating and magnifying our differences.

Dr. RICE. Well, Senator, let me just make the following point. You know, when the Forum for the Future was held, the very important meeting that was held to talk about reform in the Middle East, the Iranians were actually invited. The Moroccans wanted to invite them. We said we had no objection. And they didn't come. And I think there's a reason they didn't come, which was that that

was a gathering of civil society and business leaders and people—people in the country who wanted to talk about reform. That's an opportunity for Iran to interact with the world.

We showed, I think, our respect for, and our humanitarian impulse to, the Iranian people with our response to the Bam earthquake, and it was a very great moment in American—in the history of American compassion and generosity. And I hope we'll have other opportunities, that are not linked to disaster, to let the Iranian people know that we have no desire to isolate them from the international system, or from others.

And so, I understand your question. It's a complex problem, when you're dealing with a regime that really has views that we consider illegitimate. But from the point of view of the Iranian people, this is a people who should be in contact with the rest of the world.

Senator CHAFEE. Well thank you very much. I know my time is up. I'll just say thank you for your time. And yesterday we talked about Martin Luther King day and I recommend you read his great treatise, "Where Do We Go From Here: Chaos or Community."

Dr. RICE. Thank you.

The CHAIRMAN. Thank you, Senator Chafee.

Senator Biden?

Senator BIDEN. Madame Secretary, you had a long day yesterday, and you've got many long days ahead of you as Secretary of State. But I'd like to cut right to it.

I want to make it clear, I intend to vote for you, because I believe, strongly, the President is entitled to his Cabinet, unless the person he taps is far out of the mainstream, and you're clearly not, or is not intellectually capable to handle the job. You're clearly capable. And he obviously values you very, very much as his counsel. So I'm going to vote for you. But I must tell you it's with a little bit of frustration and some reservation.

The questions we asked you in writing, and then yesterday at the hearing, I thought gave you an opportunity to acknowledge some of the mistakes and misjudgements of the past four years. And I want to make it clear—and I've made it clear time and again—no matter who is President—it could have been the Lord Almighty, it could have been Al Gore, it could have been John Kerry, it could have been anyone, it could have been John Kennedy, Franklin Roosevelt, Ronald Reagan—after 9/11, they would have made mistakes. There's no way in which we could have undertaken this effort without some mistakes being made. So the point we are—at least I, and I don't think anyone else here is different—trying to get to you yesterday, is not to play "I got you," or embarrass the President, but about what we've learned, what we'd do differently, how we would proceed differently, given the opportunity again or given a similar circumstance, which we may face. We may face a God-awful choice in North Korea. We may face a God-awful choice in Iran. We may face an awful choice with regard to Syria.

And so, we're trying to get some insight into how a second term, a second chance, a second round might be different, not because—not even because anyone else would have done it better—that Al Gore, had he been President, would have done it better.

But instead of seizing the opportunity, it seems to me, Dr. Rice, you danced around it. You sort of stuck to the party line, which seems pretty consistent. You're always right, you all never made any mistakes, you're never wrong. And it's almost like, "If I acknowledge any weakness, if I acknowledge any misjudgments on the part of me, or the President, or anybody on the team, it's a sign of weakness." But I, personally, don't think it is. I think it's a sign of some degree of maturation, a strength.

Yesterday, you claimed my colleague Barbara Boxer was impugning your integrity when she asked you about the changing rationale for the war in Iraq. I wish, instead, you had acknowledged the facts, that the administration secured the support of the American people, and of the Congress, for going to war based overwhelmingly on the notion that they believed—and it was portrayed, in my view, by the administration, understandably, from your perspective—that Iraq was an imminent threat because it possessed, or was about to possess, weapons of mass destruction. Now, when it turns out there were no such weapons, you claim the war was based on removing a dictator.

Now, my recollection—I've asked my staff to go back and check this, and, before the hearing's over this morning, they'll have statements—my recollection is that it was explicitly stated it was not about regime change. That's not why we were going to war. That would be effect, but that wasn't the rationale for going to war when we went to war.

Now, I'm glad Saddam's gone. He deserves a special place in hell. A special place in hell. Chuck Hagel and I, we went up into Irbil, got smuggled in before the war in Northern Iraq, we rode in a seven-hour ride through the mountains—I understand why the Kurds now say, "The mountains are our only friends"—and three hours, four hours before that in Turkey, and we met with the widows of those people who were gassed. We saw the pictures of little kids' eyes bulging out. And, you know, we saw what Chemical Ali actually did to those people. So he deserves a special place in hell.

But if you read the resolution Congress passed giving the President authority to use force if necessary, it was about disarming Saddam. It was about disarming him. And reread the words of the President and other senior officials. In speech after speech, TV appearance after TV appearance you left the American people the impression that Iraq was on the verge of reconstituting nuclear weapons. I don't doubt you believed that. But to pretend we didn't leave them that impression, and leave the Congress the impression. In fact, I'm not positive of this, but I think I was on *Face the Nation* the day that the Vice President was on *Meet the Press*, and he got asked about nuclear weapons. The Vice President said, "They have reconstituted their nuclear weapons." And I got on, and I was asked, on either *Late Edition* or one of the other Sunday shows—they said, "Is that true?" And I looked at the camera and said, "Absolutely not. One of two things, either the Vice President is deliberately misleading the American people and the Congress, or you all are not telling the Congress the truth"—and at that time I was the Ranking Member and, just prior to that, the Chairman—"telling us the truth about what we had, in terms of intelligence, because," I said, "I've seen nothing—nothing, nothing, nothing, up to

that date, to indicate they had reconstituted their nuclear capability." Back then, as I said, we were all left with the impression, as Senator Boxer suggested, that this was about weapons of mass destruction and an imminent threat.

Now, when I said, about, I don't know, six, eight months—maybe longer—ago, I said the administration claimed that there was an imminent threat. It was pointed out to me that the phrase "imminent threat" was not used by the President. But here's what other senior officials said: "immediate threat," quote, "moral threat," quote, "urgent threat," quote, "grave threat," quote, "serious and mounting threat," quote, "unique threat".

Now, it would almost be funny, if wasn't so, so serious, that we are sort of dancing on the head of a pin here, whether "imminent" was stated. Now, you didn't say that—I was corrected by other administration officials for saying the President said "imminent."

But here's my point. Especially on matters of war and peace, we've got to level with the American people. And if we want, not only their support, if we want to sustain that support—my greatest worry, and it genuinely is a worry, is that if we're going to get the job done in Iraq, you're going to have to come back here for another at least \$100 billion dollars before it's over, probably close to \$200 billion before it's all over. And I'm worried your friends on that side of the aisle are going to say, "Whoa, whoa, whoa, wait a minute, Jack. You all didn't tell me that." Now, maybe I'm wrong. Maybe they'll all pledge today, publically, that if you ask for \$200 billion dollars, they'll belly up to the bar and do it. I can tell you, I will. I can tell you, I will. But you're going to have a little problem here—"you, the administration"—with this outfit, Democrats and Republicans, because I don't think they know what's in store here. We've all got to be honest, also, with the world. Otherwise, we'll do terrible damage, beyond what we've already done, to our credibility, which is, in my travels around the world, at least in question, in many places.

You've heard, a thousand times, the analogy about, you know, when Acheson went to de Gaulle and said, "You know, Mr. President, here, I want to show you the pictures of the Cubans, the fact that the Cubans have put in Russian missile sites," *et cetera, et cetera*, and de Gaulle raised his hand and said, "No, no, I don't need to see that." I'm paraphrasing. He said, "I know President Kennedy would never mislead me in a matter of war and peace." Well, we both know, because the world has changed, that even if Kerry had been elected, nobody out there is likely to believe a President of the United States on matters of intelligence just by saying, "I know he'd never mislead me, you don't have to show me anything." Those days are gone, unfortunately, for a while.

After Iraq, it's much harder for the world to rally to our side if we have to face a truly imminent threat in Korea or Iran. The same goes for the way you answered my questions, in my view, about training Iraqi security forces. It is true, there's probably about 120,000 people in a uniform. But the question really is—and I'll end Mr. Chairman, I know I'm going over my time—the question really is, how many of those forces could supplant an American force, how many of them we could trade off for an American

soldier? Because that's ultimately, again, the exit strategy—get enough Iraqis there so we don't need American troops there.

Time and again, this administration has tried to leave the American people with the impression that Iraq has well over 100,000 fully trained, fully competent military police and personnel. And that is simply not true. You and I know that. We're months, probably years, away from reaching our target goal.

When the Chairman and I were in Iraq with Senator Hagel, right after Saddam's statue went down, we asked the military, as well as the police trainers, "How long would it take you to train the military forces necessary?" They talked about 40,000. And they said, "At least two, maybe three years." "How long would it take you to train a police force capable of policing the country, to replace the 79,000 thugs that were called police before?" They said, "Three to five years." That was our people. Our people told us that.

And, all of a sudden, Rumsfeld announces, "Hey, we got this done." "Don't worry, be happy," that calypso song, should be the theme song of the civilian leadership of the Defense Department.

So yesterday I think you had a chance to help wipe the slate clean for the American people and our allies, tell them, flat out, how hard it was going to be, how much more time it was going to take, and why we needed to do it. It's not about revisiting the past, Dr. Rice, it's about how you're going to meet the challenge in the future. And I must tell you, for the first time in the last four years, I have doubts about it. Either because you're not telling us, the President doesn't know, or you all don't have a plan, because I'm telling you honestly, that's what I walk away from this hearing worried about.

I'm going to vote for you because of the standard I have about the President having intelligent, bright people, if they're honorable—and you're all of those things—he gets to choose who he wants. But I left the hearing yesterday, and got on the train somewhat perplexed. I mean—and I'll end with this—it was like the issue I asked you about Iran—if, in fact, the Lord Almighty came down and said, "Look, we guarantee we can monitor whether they're keeping the commitment—no nukes, no missiles"—would we make a deal with them? Doesn't mean we don't still fight about their support of Hezbollah, terror, human rights.

And my impression from you—and maybe you can clarify it now—is that you said, "no, we wouldn't make a deal if it was just those two things. No nukes, no missiles. Period." Would we make a deal with them? That's my question. Would we? Or do we have to have it all settled, all at once, with them?

Thank you Mr. Chairman.

Dr. RICE. Senator, I'll be—I'll be brief. The question about Iran, I think, is a question of looking at the totality of the relationship. Obviously, the pressing issue, right now, is to deal with Iran's nuclear program. And I think that we will see what becomes of the EU-3 efforts. We'll work with them. We will see what we can do in the IAEA. If the Iranians—

Senator BIDEN. If they got that deal, would we sign it?

Dr. RICE [continuing]. —if the Iranians are prepared to verifiably and irreversibly get rid of their nuclear program, then

that will be a very good day, and I think it would certainly change the circumstances that we are looking at.

Senator BIDEN. I wish we had a court reporter—

Dr. RICE. But I—

Senator BIDEN [continuing]. —to play back—

Dr. RICE [continuing]. —I really—

Senator BIDEN [continuing]. —what you just said. What's the answer? Would you—

Dr. RICE. The answer—

Senator BIDEN [continuing]. —make the deal—

Dr. RICE. The answer—

Senator BIDEN [continuing]. —or not?

Dr. RICE [continuing]. —Senator, is, I'm not going to get into hypotheticals til I know what I'm looking at. That's the answer.

Senator BIDEN. Well, you're in a hypothetical with China. You make a lot of deals with China. Their human-rights record is horrible.

Dr. RICE. I understand those—

Senator BIDEN. Their problems with us are serious. I don't get it. Why can't you just say, "If that worked"—wouldn't that be a nice message to send to the Iranians? Hey, guarantee us no missiles, guarantee us no nukes, we can make a deal.

Dr. RICE. Senator, what we have—

Senator BIDEN. Is that a good idea?

Dr. RICE [continuing]. —what we have said to the Iranians is, "Look at the Libyan example." The United States doesn't have permanent enemies.

Senator BIDEN. And look at the Libyan example, and look at Qaddafi's role in human rights now, in his country.

Dr. RICE. But what we've done with the Libyan example, is that the Libyans made an irreversible, we believe, decision about their weapons of mass destruction. They made it, by the way, without a promise of specific deals. They—we told them that there could be a path to better relations, and they're now on a path to better relations. That's—

Senator BIDEN. That's not what Qaddafi told me. I asked him why he made the deal. Straight up. The State Department was in there. He said, "It was simple." He said, "I knew if I had used nuclear"—first of all, he said, "Nuclear weapons didn't help you much"—through a translator—"Nuclear weapons didn't help you much in Vietnam and in Iraq." That was his comment. Secondly, he said, "I know, if I use them"—and I forget exactly the phrase—"you'd blow me away." And thirdly, he said, "They weren't much value to me." And then he went on to say, "And now I can have American oil companies in here pumping the oil out of the ground." I asked why he wanted American oil companies, and he made an analogy of the French. He said, "You make a deal with the French, they say 90-10 and they take 95." He said, "The Americans, you say 50-50, they only take 50." He was the most candid guy I ever spoke with.

Dr. RICE. Well, the Libyan example is a good example.

Let me turn to the—very briefly, to the question of lessons learned. I said, yesterday, Senator, we've made a lot of decisions in this period of time. Some of them have been good, some of them

have not been good. Some of them have been bad decisions, I'm sure. I know enough about history to stand back and to recognize that you judge decisions, not at the moment, but in how it all adds up. And I've—that's just strongly the way that I feel about big, historical changes. I'm being as straightforward with you as I possibly can.

Senator BIDEN. I appreciate—

Dr. RICE. And that's—

Senator BIDEN [continuing]. —that.

Dr. RICE [continuing]. —that's how I see it.

Senator BIDEN. It's a little—

Dr. RICE. Now—

Senator BIDEN [continuing]. —bit like I told my daughter, when I have no doubt—16—I have no doubt, by the time she was 30 years old, she would be a beautiful, intelligent, well-educated, happy lady. I just wondered how much pain there was going to be between then and—

Dr. RICE. I understand that. And I'm—

Senator BIDEN [continuing]. —I'm talking about pain, here.

Dr. RICE [continuing]. —Well I'm afraid, in difficult hysterical circumstances, there's going to be a lot of it, and a lot of sacrifice.

I don't have a 16-year-old daughter to refer to, but I will tell you that I think the analogy is apt, because it's how Iraq turns out that really ultimately matters.

If I could just say one thing, though, about lessons learned—and that is—I spoke, yesterday, about the important work that we've been doing on the Office of Reconstruction and Stabilization. I think that's a lesson learned. We didn't have the right skills, the right capacity to deal with a reconstruction effort of this kind. And we are going to face these again, even if it's not after war. And I certainly hope that it will not be. We're going to face it in places like Liberia, places like Sudan. And so—

Senator BIDEN. All we want to know is, how are you going to face it with the \$15 billion bucks that's sitting out there now, that you haven't spent, and, you know, you don't know what to do with?

Dr. RICE. We do know what to do with it, Senator. And—

Senator BIDEN. If you want to tell us—

Dr. RICE [continuing]. —That—

Senator BIDEN [continuing]. —it would be good. Tell us.

Dr. RICE [continuing]. —that spending is accelerating, and I'll be glad to give you a full accounting of it next time I see you.

Senator BIDEN. God bless you. And, by the way, my daughter is 23. She thinks I'm handsome and smart again, and all is well.

Dr. RICE. All is well.

The CHAIRMAN. And she's right.

Senator BOXER. We'd better straighten her out.

Senator BIDEN. Thanks, pal.

The CHAIRMAN. Senator Coleman?

Senator COLEMAN. Thank you. I just—

Senator NELSON. I've got one that's 27, and I'm still going through a lot of pain.

Senator COLEMAN. Two comments, Dr. Rice. One, with all the talk about foreign-policy goals, there are things that impact my constituents most directly. I was surprised, my first year as a Sen-

ator, I probably spent more time on immigration issues and child adoption than any other issue in my state office. So I just want to raise that. And probably, by the way, the most satisfying portion of what I do, to unite families.

You have a program called Adjudicate Orphan Status First. It's a pilot project. I would just urge you to take a look at expanding it. We do wonderful things to bring families together, and it's really important stuff that we don't talk about much.

And I am just going to have to join in the conversation here. I am sympathetic to some of my colleagues' concerns about finding common ground. I join with some of my colleagues, believing that we need to find more common ground with Venezuela. I think we have to figure out a way to do that.

But I have to agree with you, and appreciate your response, in separating Venezuela from Iran, a country that's calling for the destruction of Israel, that's supporting terrorism, that has no freedom of religion, an abysmal human-rights record. Pursuit of nuclear weapons—just in Iraq, talking to Allawi with concerns about Iran interfering with what's going on in Iraq. And I will say, Dr. Rice, for this Senator, the idea of finding common ground with Iran, and the mullahs makes me sick. So I guess there is a separation there, and I believe it's important for some of us to keep our eye on that difference between Iran and Venezuela.

Dr. RICE. Thank you.

The CHAIRMAN. Thank you, very much Senator Coleman. Senator Feingold?

Senator FEINGOLD. Thank you, Mr. Chairman.

Dr. Rice, thanks for this further opportunity to speak with you.

I'm struck by the conversation you just had with Senator Biden with regard to Iraq; in part, because I think if people are watching this hearing, they would think that we've been in great disagreement about foreign policy ever since 9/11. That's not what really happened. We were all quite unified with regard to the fight against terrorism, trying to figure out this challenge, up until the time that serious disagreements occurred with regard to whether Iraq really was part of that effort, or to what extent it was.

So I want to return, in that spirit, to the item that I started with yesterday, Secretary Rumsfeld's interesting comments, in his memo, that there was no consensus within the national-security community of the United States about how to even measure success in the fight against terrorism. And you and I had an exchange about this yesterday, where you talked about some of the places, geographically, where it's much harder for the terrorists' network to operate. I talked about my concern that I think they actually are able to operate in other places—North Africa—and we went back and forth on that. But, fundamentally, I'd like to have you say a little bit about, how do we measure success—not a list of things we've done, but how do we measure how well the terrorists are doing? How do we know whether they're picking up steam, in terms of picking up recruits and gathering more help around the world, or not? How do we measure this thing? I think that's one of the most important things that perhaps we could come together on, and start discussing again, once we get through this serious disagreement on Iraq.

Dr. RICE. It's a very interesting question Senator. And it's a hard question. As you know, when you're measuring any social phenomenon, you are usually without hard tools to do it. That's one of the lessons of social science. If you're measuring scientific phenomena, you have hard tools to do it. If you're measuring human phenomena, how do you measure how well a young person is developing? These are human phenomena. They are hard to measure.

One of the hardest things about this is, it's a very shadowy network whose numbers are hard to count. It's important and difficult to know what is a hardcore terrorist who is committed to the jihad and would never be reformable in any way versus somebody who might just be attracted to the philosophy because they're jobless or hopeless, or whatever, and might be brought back into the fold. That's the kind of important question for which we, frankly, don't have a measurement. And I don't think we're going to. I think we're going to see this in broader strokes.

We can measure, with good intelligence, issues like how well we think they're doing on funding. We can measure something like that. Imperfectly, because we're dependant on what intelligence we can learn about that. We can measure, imperfectly, when we take down some of their leadership, whether they seem to be able to replace that leadership. We can measure, imperfectly, whether we think they are able to carry through on threats that we believe they have issued. But, again, imperfectly.

What we're not going to be able to measure, and I would resist trying to measure, is how we're doing in empowering moderate Islam against radical Islam, because that is an historical process that is going to have its ups and downs, but, in time, when you have a Pakistan coming back from the brink of extremism, or you have an Indonesia carrying out a democratic election in which the role of terrorism in Islam was actually a fairly minor issue, you have to say, we are making some progress. How much? I can't tell you, but we're making some progress.

What I keep my eye on is, how is moderate Islam doing? When I'm asked what future am I looking for, I'm looking for a future in which the regions of the world that we're concerned about, whether it is North Africa, or East Africa, or the Middle East, or Southeast Asia, that moderate Islam is winning. It's winning in government, it's winning in rhetoric, it's winning in educational programs, but the impact of that is going to be a while before we see it.

Senator FEINGOLD. I appreciate that answer. Let me—I recognize how imperfect it is. And I do think a lot of it has to do with how moderate Islam is doing. But let me just give you an example from Algeria, where, of course, they've gone through this horrendous period of terrorism, and they're coming out of it. And we had a dinner with civil society people last week, in Algiers, and I said, "Now, what about the young people here? Are they likely to return, to be attracted to a radical, violent Islam, or not?" And the sense was that they probably wouldn't, because it was horrible; but perhaps if economic opportunity didn't improve, that it could happen. I'm not so sure that can't be measured more than we're doing. I'm not so sure that we can't identify these trends in a more serious way than we are, and I think it would be very valuable information.

Let me turn to another question. I'd like you to explain how the President's emergency plan for AIDS relief will help build infrastructural capacity in Africa, particularly in the area of training healthcare practitioners, especially community health workers and discouraging the medical brain-drain. In the course of the work I've done on this committee, I've had a lot of wonderful conversations with people in countries seriously affected by the pandemic, especially in Africa. And I found one of the most heartbreaking to be my conversation in Botswana with the president of that country, President Mogae, who was acknowledging that they had a 40 percent AIDS rate, and that they were trying to deal with it, but, whenever they'd get some local healthcare workers trained, they were poached by American healthcare entities or European healthcare entities, and they couldn't keep the very people that were trying to deal with this situation.

So will implementing partners all adhere to a set of principles regarding hiring local staff to ensure that we don't siphon resources away from the domestic healthcare infrastructure, making our efforts, in the end, unsustainable?

Dr. RICE. That's, again, a very important point. And the whole concept, especially of the part of the emergency plan that is for the 15 most affected—once 14, now 15 most affected—is to focus, not just on the delivery of services, which is important in itself—the cure—the treatments to millions; preventing seven million, giving access to information and care for ten million—those are all very important goals. But the design of the program has also been to worry about the delivery mechanism for that care, to use a tiered approach so that you have clinics in the cities that can do that, or hospitals in the cities, but that you also build capacity in the village—in some of these places, even using motorcycle-riders to get the care out that people who've been trained to administer, or help administer, the drugs—so that you're improving the delivery, the healthcare delivery system, as well. And that really was the innovation that came about through studying and working with, for instance, the Ugandans, who have a very effective system of delivery.

It is also the case, of course, that if you improve the delivery system for AIDS you improve the healthcare delivery system for other things, as well—malaria, tuberculosis are part of the program, but other—others as well. If you improve mother-to-child transmission delivery, you improve OB/GYN care, you improve neonatal care, and so forth.

And so, I think it's a really—probably one of the most important aspects of the emergency plan would be not to just focus on the treatment itself, although that's extremely important, but what are we doing for the healthcare delivery system.

I hadn't thought much of the—about the problem of well-trained healthcare workers being siphoned off, but we'll go back and give that some thought.

Senator FEINGOLD. I would appreciate that.

Thank you very much Mr. Chairman.

The CHAIRMAN. Thank you very much Senator Feingold.

Senator Hagel?

Senator HAGEL. No questions.

The CHAIRMAN. Senator Hagel passes.

Senator Boxer?

Senator BOXER. Thank you very much, Mr. Chairman, for being so fair.

Thank you, Dr. Rice, for answering our questions.

Mr. Chairman and my Ranking Member, I'm going to use my time this morning to lay out the rest of my concerns, and then, when we get a chance to vote, I'm going to put all my concerns back into context again.

Dr. Rice, clearing the air and, as Senator Biden said, starting from a fresh page here would have been wonderful. We haven't had that. And the reason I think it is so important to place into the record some of your past statements is because your administration has named several countries in the "axis of evil." We don't know what your plans are. We haven't been able to flush them out. I think Senator Biden has been trying to push you on the Iran situation. We don't have an exit strategy for Iraq, that we can tell, because you insist there's 120,000 in the Iraqi forces, but yet, being pressed by several Senators here yesterday, you still won't say how many of them really are trained. So we've got problems here; at least, I have problems here. So forgive me if I continue along the lines of yesterday.

Now, Dr. Rice and colleagues, our country is united in waging war on those responsible for 9-11, and eliminating the al Qaeda network. That is why I find it so troubling that the Bush administration used the fear of terror to make the war against Iraq appear to be part of the response to 9/11. And, Dr. Rice, as I said, you were involved in that effort. You were the face on television, as was pointed out yesterday. You tell us that you were giving the President confidential advice, but you didn't shrink from talking straight to the American people.

Now, I don't know one American who wants Saddam Hussein to see the light of day. I don't. So that's not the point. I don't know of one American who wanted Slobodan Milosevic to see the light of day. And guess what? And you know this—1,300 plus American soldiers didn't have to die to get rid of Slobodan Milosevic, and 10,000 didn't have to get wounded. So there are issues surrounding this.

Now, on September 25th, '02, you said, in an interview with Margaret Warner, on PBS, "We clearly know that there were in the past, and have been, contacts between senior Iraqi officials and members of al Qaeda going back for actually quite a long time." And you went onto say, "And there are some al Qaeda personnel who found refuge in Baghdad."

Now, that statement and others by administration officials assert there was a longstanding operational alliance between Iraq and al Qaeda.

We know the truth is otherwise. We know it. And I'll show you, again, the State Department document, signed off by President Bush in October 2001, one month after 9/11, showing absolutely no operational cells in Saddam-Hussein-controlled Iraq.

And, second, most experts agree that Saddam Hussein and Osama bin Laden were far from being allies. In an interview on CNBC with Maria Bartiromo, on March 24th, '03, Peter Bergen was asked if he saw any direct connection between Saddam and

Osama. Mr. Bergen said, “Well, you know, I met bin Laden in ’97, and I asked him, at the end of the interview, his opinion of Saddam. And he said, ‘Well, Saddam is a bad Muslim, and he took Kuwait for his own self aggrandizement.’”

In November ’01, the former head of the Saudi intelligence said, quote, “Iraq doesn’t come very high, in the estimation of Osama bin Laden. He thinks of Hussein as an apostate, an infidel, or someone who is not worthy of being a fellow Muslim.”

Third, you were contradicted by the bipartisan 9/11 Commission, which stated in its report, last summer, that there was, quote, “no collaborative relationship between Iraq and al Qaeda.” In fact, the 9/11 Commission report states that you received a memo on September 18th, ’01, detailing what was known about the links between al Qaeda and Iraq. Let me read the 9/11 Commission’s description of the memo you received. They write, “The memo pointed out that bin Laden resented the secularism of Saddam Hussein’s regime. Finally, the memo said, there was no confirmed reporting on Saddam cooperating with bin Laden.”

So you received a memo, on September ’01, clearly stating there was no link. The President, himself, was part of a State Department publication which said there were no al Qaeda in Iraq prior to 9/11, there’s documented history of bin Laden’s loathing of Saddam, and, in spite of this, you went on TV and told the American people there was a clear connection between Saddam and al Qaeda. Even the State Department was very clear that there was no such contacts.

So it is very disturbing to think that, in spite of everything and all the information that you had, you continued to go out there and claim this contact and make the people feel that, somehow, going to war against Iraq was our response to 9/11.

Now, on the aluminum tubes, I’m not going to get into the back and forth with you on the aluminum tubes, but I’m going to lay this into the record, because I think it’s essential. On September 8th—first, I believe you tried to convince the American people that Iraq’s purchase of aluminum tubes proved positively that they were going to build a nuclear weapon. Thus, your statement about the mushroom cloud, which scared the heck out of every American. On September 8th, ’02, you were on CNN’s Late Edition with Wolf Blitzer, and you made this statement, “We do know there have been shipments going into Iraq, for instance, of aluminum tubes that are really only suited to high-quality aluminum tubes that are only”—I’m reiterating what you said—“really suited for nuclear weapons programs, centrifuge programs.”

That unequivocal statement was wrong. You never mentioned to the American people that there was a major dispute about the tubes, even though our nation’s leading nuclear experts in Department of Energy, in 2001, said, “The tubes were for small artillery rockets, not for nuclear weapons.”

It is reported that one Energy—a Department analyst summed up this issue for the Senate Intelligence committee saying, quote, “The tubes were so poorly suited for centrifuges that if Iraq truly wanted to use them this way, we should just give them the tubes,” unquote.

This dispute among the CIA, the DIA, the Department of Energy, Department of State over the likely use of tubes was played out in front of this committee. And, Mr. Chairman, I remember it. I was there in that meeting. It was very contentious, and we saw all sides of the issue.

This dispute was so well known that the Australian Intelligence Service reportedly wrote, in a July 2002 assessment, that the tubes evidence was, quote “patchy and inconclusive.”

Third, the IAEA, the International Atomic Energy Agency, reported, on January 8th, '03, that the tubes were, quote, “not directly suitable for uranium enrichment, and were consistent with making ordinary artillery rockets.”

So, given the concerns raised by Department of Energy, Department of State, the Australians, the IAEA, you still failed to level with the American people on the subject of the aluminum tubes. Even as recently as a few months ago, October 3rd, 2004, you had the opportunity to finally set the record straight. And, as Senator Biden says, it's good to set the record straight, we've got to move on. But when you were asked by This Week's George Stephanopoulos about the tube controversy, you said, “There was dispute only by one agency. That's the State Department.”

Now, that is not the truth. It's not the facts. And it is very, very troubling to me. As Senator Biden said, we all make mistakes. God knows, I've made mine, and I will make more. I apologize in advance to my constituents for the mistakes I'll make. But once all the facts are out there, can't we just make sure that the truth is finally embedded into history, without being—without turning our backs on what the truth is. So that's another area.

Now, I know my time is up. I can either wait til one more round, or just finish up my last area of concern. Can I just finish it up?

Mr. Chairman: Proceed.

Senator BOXER. Okay.

When you were making the case for the war in Iraq, one of the things you said that, frankly, stunned me was that a reason to go was, the Iranians were gassed by the Iraqis. Now, this is truly a horrific fact, that is right. But, Dr. Rice, we all know the Iran-Iraq war took place between 1980 and 1988. And the United States knew—they knew—that Saddam Hussein was using chemical weapons against the Iranians. And it was appalling. Despite this fact—despite this fact—I'm sure you're aware who traveled to Iraq to meet with Saddam Hussein one month after we became aware of this. It was Donald Rumsfeld. And Donald Rumsfeld tried to increase diplomatic relations with Saddam Hussein. Iraq was a charter member of the terrorism list in 1979, put on there by Jimmy Carter. Do you know—and I'm sure you knew at the time you said this—that it was the United States who removed Iraq from our list of state sponsors of terrorism? And they didn't get put back on til 1990.

So, let's review. While Saddam was gassing the Iranians—a despicable act—Donald Rumsfeld and the Reagan administration reestablished U.S. relations with the Iraq and refused to put Iran back on the terrorism list.

So, in '03, when you told the American people that Saddam Hussein's use of chemical weapons against Iran was a justification for

war—one of them that you gave—why didn't you tell them the full story? Why didn't you mention that it was Rumsfeld who favored the normalization of relations with Iraq during a time when Saddam was using chemical weapons against Iran?

So a reason you gave the American people for the war in Iraq, and a reason you believe it was worth American lives, was the heinous gassing of the Iranians by Saddam in the '80s. This gassing was known to the American Government at the time. The gassing did nothing to dissuade the American Government from launching full diplomatic relations with Saddam. America gave its seal of approval to Saddam Hussein by sending special envoy Donald Rumsfeld to Iraq when we had zero relations with Iran at that time.

So, to me, it's telling a half truth to the American people. It's "gaming" the American people. And, as someone who believes that we, again, owe the full story, it was very upsetting to me that you didn't put it into context.

Now, had you said, "You know, we were wrong, we were fooled," maybe it would have been better. But there's no mention, anywhere.

So I guess what I'm saying, Mr. Chairman, these are my areas of deep concern. I've gone back through the record, exhaustively, because I knew Dr. Rice—and you saw it yesterday—you know, we can get into a give-and-take, and she's a very good debater, and I'm a pretty good debater, and that's interesting, but I think we need to see what the facts are and why I'm disturbed about this particular nomination. It isn't based on qualifications or intelligence or all the rest, because that's obvious—wonderful break in the glass ceiling and all those beautiful things, which I'm proud of. It's not about that. It's about candor. It's about telling the full story. It's about, seemingly, not being willing to go with us, in both sides of the aisle, because it was the same answer to Senator Chafee when he pressed you. It seems to me a rigidness here, a lack of flexibility, which is so troubling to me; and, most of all, going back into recent history, an unwillingness to give the American people the full story. Because the mission, the zeal of selling the war, was so important to Dr. Rice, that was her job. And yet I feel—and, again, I know not everyone agrees with me at all in the country, but many do—that this war, and all of these horrific deaths and the wounded and all of that, is a direct result of not leveling with the American people.

Thank you.

The CHAIRMAN. Thank you very much, Senator Boxer.

Dr. RICE. Thank you. I'll just—I'll be brief.

Senator Boxer, let me respond to a couple of specific points, very briefly, and then to an overall point. But I, first, need to go back to yesterday.

Senator Boxer, you mentioned the letter that we wrote concerning—

Senator BOXER. Yes.

Dr. RICE [continuing]. —I just want to note—and I will want to note for the record, that you put up one provision, not—

Senator BOXER. Yes.

Dr. RICE [continuing]. —all of the provisions.

Senator BOXER. That's right.

Dr. RICE. And it was a provision, of course, with which we would have no difficulty, which was one that is enshrined in law, which is that we should not torture, and so forth and so on. But there were other provisions that you did not put up that was not fully in context, what you presented yesterday. And——

Senator BOXER. Dr. Rice, I agree with you completely.

Dr. RICE. Yes, and——

Senator BOXER. But your letter didn't say——

Dr. RICE. No, I understand that.

Senator BOXER [continuing]. ——that one——

Dr. RICE. But——

Senator BOXER [continuing]. ——provision.

Dr. RICE. But——

Senator BOXER. Because the conferees could have kept that one provision.

Dr. RICE. Yes, we decided—you're right—not to try and parse. But I just want to make clear that you did not put up the entire set of provisions.

Senator BOXER. Of course I didn't.

Dr. RICE. Yes.

Senator BOXER. Because the conferees could have kept that. You didn't tell them to keep it.

Dr. RICE. Yes, but the impression was left that what we objected to was that one provision, when it——

Senator BOXER. Well, you did.

Dr. RICE [continuing]. ——when, in fact, there were several.

Senator BOXER. Well, you did, yesterday, object to it. You said it was duplicative, didn't you?

Dr. RICE. No, I said it was in the Defense authorization bill. But I just want, for the record, it to be noted that the Bush administration was objecting, not to something to do with the law of the land, but to other provisions, and I'll provide that to you.

[The information to which Dr. Rice referred appears in Appendix II of this hearing transcript.]

The CHAIRMAN. Thank you.

Dr. RICE. So the context here was extremely important.

Secondly, let me just respond, very briefly, Senator Boxer, to a few points.

First of all, I really just can't agree that Milosevic and Saddam Hussein were the same problem. And we do have to recognize that different tools have to be taken against different dictators. It was a remarkable set of events with Milosevic, but he was in the center of Europe. We had all kinds of pressure on Milosevic that we had failed to be able to bring about with Saddam Hussein. And so, I just reject the analogy between the two.

Secondly, as to the question of al Qaeda and its presence in Iraq, I think we did say that there was never an issue of operational control, that al Qaeda—that Saddam Hussein had nothing to do with 9/11, as far as we know or could tell. It wasn't a question of operational alliance, it was the question of an attitude about terrorism that allowed Zarqawi to be in Baghdad and to operate out of Baghdad. There were contacts going back to the early 90s, and those are, indeed, detailed in the 9/11 report.

Third, on the question of aluminum tubes, we didn't go to war because of aluminum tubes. This was a debate about whether this issue, this particular piece of evidence, was evidence was reconstitution of the nuclear program. And the—there was one agency that disagreed that he was reconstituting his nuclear program, and that was the State Department. The INR. Other—

Senator BIDEN. Didn't the Department of Energy also—

Dr. RICE. No, the Department of Energy said that they did not believe that the tubes were evidence of reconstitution, but that he was, indeed, they believed, reconstituting his program. And that's—that's an important distinction, though. But I said "reconstituting his program." I was not talking about the tubes.

The Department of Energy, in fact, I learned, when the process unfolded, did have reservations, or did believe that the tubes were not for nuclear weapons. The majority of agencies in the intelligence community did.

I was representing, Senator—and I've made this available for the record—the views of that majority, and the view on reconstitution was one that all but the State Department held.

Now, I just have to put this into context. When you're dealing with intelligence matters, you are not dealing with perfect information, and you do have to put that information into a context of someone's history—this was someone who was very close to a nuclear weapon in 1991, much closer than we thought; of his present—the intelligence community's belief was that he was reconstituting his program, that there was evidence of this in his procurement activities and keeping the nuclear scientists together; and he—and that the shadow of the future, according to that National Intelligence Estimate was that, left unchecked, he would have a nuclear device by the end of the decade. I just don't think that the President of the United States and I were going to give him the benefit of the doubt.

And as to the "mushroom cloud" statement, one that I've heard repeated many, many times, it was simply a statement about uncertainty, that you didn't want the first evidence that he had nuclear weapons to be the kind of evidence that we learned when we found out that the Soviet Union had a nuclear weapon five years ahead of schedule.

On the Iranians and Iraq, I'll say it right now, the United States Government has often, as the President's said, supported regimes in the hope that they would bring stability. And we've been, in the Middle East, sometimes blind to the freedom deficit. We're not going to do that anymore. And what happened with Saddam Hussein was probably evidence that that policy was not a very wise policy.

In general, Senator, let me just say, again, we did go to the American people with a case for war. It was a case that, yes, said that the threat that this horrible dictator—sitting in the Middle East in the world's most dangerous region, with whom we had gone to war twice before, who had used weapons of mass destruction, who was shooting at our aircraft—that it was not acceptable to have him with weapons of mass destruction.

And we believed, like most of the intelligence agencies in the world, like the United Nations—and much of the information was

from the United Nations—that he had weapons of mass destruction. He refused to account for them. Even with coalition forces sitting on his doorstep, he refused to account for them. We weren't prepared to give Saddam Hussein the benefit of the doubt, given his history and given the shadow of the future.

We also had a situation, now rectified, of a Middle East out of which the terror threat, the jihad's threat, comes, with a factor, in Saddam Hussein, who was going to make it impossible to change the nature of the Middle East. I don't think anybody can see a different kind of Middle East with Saddam Hussein in the middle of it.

So we can disagree about the course that we took. We can certainly have, I think, a healthy debate about the course that we should take, going forward. I would be the first, again, to say, we've had to make a lot of decisions, some of them good, some of them bad. But I would hope that what we will do now is to focus on where we go from here.

I can assure you, I will be candid. My assessments may not always be ones that you want to hear, they may not always be ones with which you agree, but I will tell you what I think. And that's a promise that I make to you today.

Thank you.

The CHAIRMAN. Thank you very much.

Senator BOXER. Thank you. If I could—and I know I'm taking a lot of time—I just don't want to have to speak again, but I would like to finish my comments here.

The fact is that the reconstituting were based on the yellow cake and the aluminum tubes, both of which proved to be false. And when I asked you about aluminum tubes—

Dr. RICE. And balancing equipment and the accounts out of which these came and his keeping nuclear scientists together. Let's have the entire picture.

Senator BOXER. Okay. Yes, exactly my point. Let's have the entire picture. And when I asked you about aluminum tubes, you talked about the larger picture. The fact is, when you go on television, and you say the aluminum tubes can only be used for nuclear weapons—you want to turn it to a different subject, that's okay, but that's what you said, and the facts proved otherwise, and we knew that at the time—four or five agencies were having a giant battle over that. No one could have possibly said that they could only be used—because the Intelligence Community was split.

My last point has to do with Milosevic. You said you can't compare the two dictators. You know, you're right, no two tyrants are alike. But the fact is, Milosevic started wars that killed 200,000 in Bosnia, 10,000 in Kosovo, and thousands in Croatia. And he was nabbed, and he's out, without an American dying for it. That's the fact.

Now, I suppose we could have gone in there, and people could have killed to get him. The fact is, not one person wants either of those two to see the light of day again. And in one case we did it without Americans dying, and in the other case we did it with Americans dying. And I think if you ask the average American, you know, "Was Saddam worth one life, one American life," they'd say no. He's the bottom of the barrel. And the fact is, we've lost so

many lives over it. So if we do get a little testy on the point, and I admit to be so, it's because it can continue, day in and day out, and 25 percent of the dead are from California. We cannot forget—we cannot forget that.

Dr. RICE. May I just close by saying, Senator Boxer, I, probably more than most, because I did have a role in the President's decision to go to war, mourn every day the people that are lost. I look at their pictures, I think about their families, I've been to Walter Reed, I see the pain and suffering. I believe that their service and their sacrifice was needed for our security.

I don't think there is anyone who believes that you could have gone into Iraq and nabbed Saddam Hussein. It wasn't that kind of regime.

The CHAIRMAN. Members of the committee, let me just say, we tried, in fairness, to leave the debate open last evening. Dr. Rice, Senator Kerry, Senator Voinovich and I were here for 50 minutes of questioning. The table was available for any Senator who wanted to stay and ask questions at that point.

Now, Senator Boxer obviously has strong points of view. And, in a spirit of fairness, the Chair has let the hearing verge out of control.

But we're going to come back into control at this stage.

Senator BOXER. I'm finished, you'll be happy.

The CHAIRMAN. Yes, I understand, and I appreciate that.

We have called for a business meeting at 10:00 o'clock. Now, I don't want to be arbitrary, because I appreciate that there may be impelling questions for the completion of the record, questions that people hadn't thought of last night, but rather this morning.

We rapidly want to come to conclusion here. I just simply want to ask, Are there Senators who have impelling questions, or can we proceed to have a business meeting of the committee?

Senator BIDEN. Mr. Chairman?

Mr. Chairman: Yes.

Senator BIDEN. In response, Senator Levin importuned me in the hall on the way up here, and he had said that he had sent a letter, which I asked for a copy of—that there are questions, some of which have been touched on here, that he'd like Dr. Rice to answer in writing before we vote in the Senate. And I'll read the letter.

“Dear Dick and Joe, Enclosed are some questions for the record which I request that you ask Dr. Rice on my behalf. I'd appreciate a response in writing before the time set for the Senate vote on her nomination. Thank you for your assistance.”

They're pretty straightforward. I'd be guided by your judgement. I could ask them, on behalf of the Senator, right now, or we could do them in writing, and I think there's plenty of time.

I think you could answer all of these, Dr. Rice. They relate to, for the record, uranium from Africa, and the second—and there are a total of six questions relating to that—aluminum tubes, one question; and no distinction between Iraq and al Qaeda, one question. So I guess, for the record—

The CHAIRMAN. Well, let me suggest that, first of all, as Senators know, Dr. Rice has been answering questions for a month. We've all had ample opportunity to ask everything we wanted.

Secondly, however, I'll ask Dr. Rice to respond to the questions of Senator Levin, our colleague, as a courtesy. Our hearing, here, is with the Foreign Relations Committee. Yet we are prepared to help any Senator find answers. I'm sure Dr. Rice will be cooperative; at least I presume so. And so, within the next few hours, presumably those questions will be answered.

Senator BIDEN. They're very straightforward.

The CHAIRMAN. My guess is, they probably have been answered in the folios of questions that are a part of the record, so it will not be difficult, I suspect, to reiterate.

Dr. RICE. I'm happy to do it, Senator.

The CHAIRMAN. I appreciate that.

Dr. RICE. We'll get them back to you shortly.

The CHAIRMAN. All right.

Now, impelling questions. I see Senator Nelson raising his hand. Are there any, on this side, that feel they need to ask questions? All right, one short question by Senator Chafee, and Senator Obama has—

Senator BIDEN. And there may be closing statements, not questions, before the actual vote, which would be appropriate. Senator Dodd has a closing statement, and maybe someone else does.

The CHAIRMAN. Well, that could perhaps be a part of our business meeting.

Senator BIDEN. Yes. That's exactly right.

The CHAIRMAN. We'll have discussion at that point.

All right. Senator Nelson?

Senator NELSON. Thank you, Mr. Chairman.

Just picking up on a theme that was hit here, there was a discrepancy, Dr. Rice, between the intelligence in the State Department and other intelligence. In this particular case that was discussed, about the aluminum tubes, there was also a difference of opinion within the intelligence community with regard to unmanned aerial vehicles possessed by Saddam Hussein. Indeed, I and other Senators were told, that not only did he have those UAVs for offensive reasons, but there was a plot. He was going to put them on ships off the eastern seaboard of the United States and launch them over eastern cities of the United States, dropping chemical or biological weapons. We were told that. But what we were not told is that there was a vigorous disagreement within the intelligence community—specifically, that Air Force intelligence, which knows the most about UAVs—but we were not told that they had disagreed. Now, it was written in the report, but I'm talking about those verbal briefings that we received in the secure room in the Capitol.

Tell us what you know about that kind of dispute of intelligence. Because we don't ever want to get into a situation where we are operating on information that is incomplete, as we were in this particular case.

Dr. RICE. Senator, I'm sorry, I don't remember the briefing—what was said at the briefing. I don't even know if I was there at the briefing to which you're referring. There was a dispute about the UAVs, and I think it was fully outlined in the National Intelligence Estimate, which should have been the basis for the briefings.

Let me just—if you don't mind, I'll just make a broader point, which is, obviously we need the very best intelligence, and obviously there were problems with the intelligence concerning Iraq weapons of mass destruction. I don't think members of the intelligence community were trying to deceive or to do a bad job or any of those things. It's an incredibly difficult intelligence challenge when you're dealing with a closed society that is deliberately deceiving, and where they're using dual-use equipment. And the question very often is, Do you give Saddam Hussein the benefit of the doubt that these are really for weather monitoring, or not? And so, I think it's just a very difficult—I'm sorry, I just don't remember—

Senator NELSON. Well, I guess—

Dr. RICE [continuing]. —the circumstance.

Senator NELSON [continuing]. —the question would be—since we're looking forward, which has been the theme of my statements. If your intelligence in the Department of State has a difference of opinion from the rest of the intelligence community, what is the way that you will receive and handle that intelligence?

Dr. RICE. Well, I will certainly encourage INR, which is headed by an assistant secretary who I've known for 20-plus years, somebody that I have known at Stanford—I will certainly make certain that they are making their views known in the intelligence community. I don't think I have to do that. I think they have been making them known. And I think INR has demonstrated that it has a different take on things and that that is worth looking at. Why have they had a different take? They have very often been right about some of the dissents that they've taken. And so, I look forward to working with them to understand that somewhat better. But as we're restructuring the intelligence community, understanding how different intelligence agencies do their work is going to be important to the National Intelligence Director—the Director of National Intelligence—in making sure that he's getting competitive views on the intelligence front.

Senator BIDEN. Would the Senator yield for ten seconds?

Senator NELSON. Of course.

Senator BIDEN. Will you tell us if there's a difference, if we ask you?

Dr. RICE. Well, of course. And you'll know, because the intelligence community always fights any dissents.

Senator BIDEN. No, but you, as Secretary of State, will you tell us, if we don't ask you, if we don't know to ask you? Will you level with us? Will you tell us, "By the way, there's a different take on ..."

Dr. RICE. From the INR—

Senator BIDEN. Yes.

Dr. RICE. Of course, yes.

Senator NELSON. See, that's the point. We felt like we didn't know what to ask, because we were told about these UAVs. Yes, it was buried in the National Intelligence Estimate, but we were getting these verbal communications in a very secure room. And that's the whole point, so that we can make judgements based on the full information.

Mr. Chairman, let me just wrap up with a couple of other subjects here. It's already been discussed, we've got a problem in Latin America in the tri-border region, and that needs your attention. It is, as Senator Dodd said, "The Wild West." And there's a lot of financing of some bad actors that comes out of that area. We've got to keep our eyes on President Chavez. He told us one thing, a week ago Monday, and then, lo and behold, a whole different thing suddenly emerges after we left Caracas. And thanks to the Chairman, he noted this, way back in November, which I fully support. What are the implications to the United States if Chavez cuts off the oil?

And the Chairman has called for a GAO investigation. I hope the Chairman will call for hearings on this, and I fully support him.

And then, you know, there seems to be some flap over this very courageous Cuban resident name Oswaldo Paya, who went out and got 11,000 signatures on a petition and then the government of Cuba stiffed him, when, in fact, that was a part of what their constitution said. Will you support the Varela Project, and other grass-roots movements inside Cuba?

Dr. RICE. Absolutely. And we'll look for even better ways to support them.

Senator NELSON. Okay. And my final statement, it's just a little thing that nobody ever recognizes, but, because in my former life I had been, handling issues for people that were victims of the Holocaust, and their families. There's a little office in the United States State Department that is a pittance on what its budget is. I asked this four years ago of Secretary Powell, when he was here for his confirmation. He said he would continue it. It still is there. And what it's trying to do is to see that people in the particular life, that I had lived before, were seeing how all of these people had been run over by insurance companies. They had collected the policies for years and years, and then, after the war, they said, "We don't know you." And that's just one of the things that the Holocaust victims and their families, now, and the Holocaust survivors, have suffered. And so, I would ask you to maintain the Office of the Special Envoy for Holocaust Issues.

Dr. RICE. Thank you Senator. I will.

Senator NELSON. Thank you.

The CHAIRMAN. Thank you very much, Senator Nelson.

I will call upon Senator Obama, because Senator Chafee has already had one opportunity, and then I will call upon Senator Chafee.

Senator Obama?

Senator OBAMA. Thank you very much Mr. Chairman. And I'll try to be brief.

The first question I guess I have is more of a request, Dr. Rice, and that is, assuming your successful confirmation here today that we schedule some mechanism for your Department to follow up on the question that had been raised yesterday, both by Senator Biden as well as myself and others, about figuring out a concrete measurement of our progress in training, because—training of Iraqi troops—because one of the questions that will continue to come up, every time I have a town hall meeting in Illinois, is, what's the status of our troops, and what's our exit strategy?

And I recognize that you are hesitant, in your current position, to provide a timetable. I thought Senator Alexander said something, yesterday, about wanting a success strategy, as opposed to merely an exit strategy, and I recognize that approach. On the other hand, constituents and families in small towns all across Illinois need some more satisfactory answer to them. And it strikes me that this whole issue of training troops, turning over security functions to the Iraqi Government is critical to that.

So my first question, I guess, is, Are you committed to setting up some mechanism whereby we can get some specific answers on that?

Dr. RICE. I am. I will note that the police training is actually under the Defense Department, and not under the military.

Senator OBAMA. I understand. This may require—

Dr. RICE. But I will make certain that—

Senator OBAMA [continuing]. —an additional commitment from—

Dr. RICE. I'll—

Senator OBAMA [continuing]. —Secretary Rumsfeld. But—

Dr. RICE. I will talk to Secretary Rumsfeld about it. And I'm certain that we can be responsive to the concern.

Senator OBAMA. Okay. The second—I guess this is more of a point, rather than a question, but I'm happy to solicit a response. You know, all of us, I think, are rooting for your success. And I recognize—not just yours, personally, but this administration's success. I think the notion that we have a very real and present danger in the nihilistic ideologies of radical Islam, I think most Americans share.

I think to the extent that we can encourage a more moderate brand of Islam, it already exists, it has to be nurtured. Although I have to dispute, a little bit, your notion that, sort of, we're always making progress. Indonesia, for example—I actually lived in Indonesia for five years—perceptions of America and the West were much better then than they are currently, subsequent to 9/11. So I'm not always certain we're going in a straight line in that route, but I recognize that it's a complicated issue, and we wish you well.

And I'm—I don't think there's anybody on this committee who would not prefer to see this administration succeed, even though there have been strong disagreements about the decisions that have been made in the past.

I guess the comment that I'd like to make is that—in the activist, proactive strategies that you've pursued. It seems to me that this administration often asks that we simply go along and have faith that you're making the right decisions. And that's true—I think part of the reason you were hesitant to talk about the torture issue yesterday had to do with the fact that you don't want to define "torture" too much, because you want a little bit of wiggle room. You want us to assume that you will make sound decisions based on immediate circumstances. And I think that the reason it's hard to pin you down on an exit strategy, or Iran, or these other circumstances, is, you don't want to bind this administration. "Trust us," I think is the message, "and we'll make the best decisions."

But I think that, from the perspective of my constituents in Illinois, at least, a number of people did vote for George Bush, and

do trust him. But my job, as a Senator, is to make sure that we're basing these decisions on facts and that I probe and not simply take it on faith that good decisions are being made.

And so, my final comment, I guess, is simply this. Your predecessor had a reputation of being willing to maybe tell the President some things that he didn't always want to hear. I think he displayed a certain independence that was encouraging, and I think the people felt that he was speaking on behalf of the American people and not simply being a mouthpiece for the administration. If there's criticism of this administration, I think, on foreign policy it's—I think the most profound one is—is that maybe dissenting views have a difficult time getting a hearing.

And so, I just would urge you, in your role as Secretary of State, to display some independence and make certain that, as you're making these difficult calculations, that you are not engaging in simply agreement with the conventional wisdom inside the White House, but that the hard questions are being asked in all these decisions, because, ultimately, you've got young men and women who are making sacrifices as a consequence to these decisions, and the entire country is spending huge sums of money that could be spent on other things on the basis of these decisions.

So I think my comment is just, I hope that you show the kind of independence that will make the country proud, and not just please the administration.

Dr. RICE. Thank you. Let me just, perhaps—Senator Chafee will have comment—but let me just—I have no difficulty telling the President exactly what I think. I've done that for four years. Sometimes he agrees, and sometimes he doesn't. The fact is, that I felt, very strongly, that no one else should ever know the times that when he disagreed and the times that when he didn't.

Senator OBAMA. Which I respect.

Dr. RICE. When we agree—

Senator OBAMA. I have no problem with that, in your role as National Security—

Dr. RICE. Yes. Well, but in my role as Secretary, I want it to be clearly understood that I still believe that we are one administration, with the President in the lead.

The President is the only elected official in the war council. Of course, the—was the only elected official in the war council, other than the Vice President, of course.

The President will, as we move from war to peace, still be the elected official as we decide how to try to use this time of diplomacy to build new structures and to bring old relationships to use to pursue this new agenda.

But I know what he expects from me. And he expects my most candid advice. He expects me to argue vociferously for that which I believe. He expects the State Department to play a strong and active role, not just in the execution of American foreign policy, but in its generation, in its formulation. And that, he'll get.

I know the men and women of the State Department—not every single one of them, but I've worked with them—many of them over the last four years and in years past. And what I'll ask from them is their best in pursuing a course, and in recommending a course, and then moving forward on a course. So you don't have to worry,

Senator, that I will be a strong voice for what I believe and for what the State Department believes is the best course, going forward.

Senator OBAMA. I wish you the best of luck.

Dr. RICE. Thank you.

The CHAIRMAN. Thank you very much.

Senator Chafee?

Senator CHAFEE. Thank you, once again, Mr. Chairman.

I'd just like to respond to some of the comments from Senator Coleman. And I deplore any rhetoric of hate, and particularly against the state of Israel. I do believe the challenge with the Iranians is to empower those many, many Iranians who believe that we've got to find a way to resolve our differences without bloodshed, and that's our challenge.

The CHAIRMAN. Thank you Senator Chafee.

Now, I've been requested by the distinguished Ranking Member to welcome one final comment or statement that he will make. Following that, we will proceed to the business meeting, and we will excuse you from further activity, Dr. Rice.

Senator Biden?

Senator BIDEN. Dr. Rice, I suspect your press office has been asked by the press as often as I have in the last 24 hours how there could be such a discrepancy in our individual assessment of the trained troops in Iraq. And I want to just set the record straight. It implies that I know I'm right. So I'm not setting the record straight—I'll give you how I arrived at my numbers and why I think it's important.

It's not about criticizing the administration. It's about, I believe, a recognition on the part of our trainers, our folks in the field, that we made, understandably, the wrong judgement, early on, as to how to train. I will not mention the general's name—but last trip, I think my friend said this; I don't want him in trouble, because maybe he didn't—he said, "We went for quantity, not quality, at the front end, and it hasn't worked," end of quote.

Now, here's what I know to be the facts, as told to me by your administration personnel in charge of training, not by anybody from the outside. First of all, the claim there is 53,520 trained police. That's what the administration says in the last report. These consist of police who receive a three-week refresher course and new recruits who get an eight-week course.

Parenthetically, I'll point out that we talked about lack of automobiles and lack of equipment for the police. At the training center, when I asked whether they received the automobiles, the person in charge of training said, "We have them, but they're not much use. I found out they don't know how to drive." Literally. My word. They don't know how to drive. "So we're teaching them how to start automobiles, mainly"—paraphrasing; I don't know the exact quote—"to get out of the way of an explosion."

So that's the quality of the people we're sending.

There's a 24-week field-training course by U.S. trainers in the manual. It has never begun. Not a single one of these claimed 53,000 cops have gone through that. They don't even know, when they send the police back to—you should know this, if you don't—back to Iraq, they have no notion where they go, they have no no-

tion who they've been assigned to, they don't have any idea where they are, and no one way to follow up.

Instead of the 5,700 international trainers recommended by your administration, your assessment team, in June of '03, it took until this fall, '04, to get 500. U.S. only. Nobody else. U.S.-only trainers.

You stated, yesterday, Doctor, this is not an environment for, quote, "beat cops." It's an insurgency—witness Mosul in November, where the police force nearly deserted after insurgent attacks.

On September 15th, 2004, the administration claimed it had 32,000 trained police. You all are now claiming—you've gone from 32,000 to 53,000—up 20,000 just since September 15th.

In that hearing, the Deputy Assistant Secretary of State, Joe Bowab, who I think will still be there when you get there, who was in charge of overseeing the training program from State's end, I asked him the following question, quote, "Do we have 32,000 trained Iraqi cops on the street?" Trained. Not cops on the street, but trained Iraqi cops. Bowab said, "No, sir." Quote, "No sir."

I won't bother you with the rest of it. I went onto say, "My impression is, you don't have one trained Iraqi cop—having gone through all the training." His answer to that was, "Yes, we don't."

National Guard, 40,063 in the latest report. Training consists of three weeks by the individual and three to four weeks collective training. Training is not standardized. There have not been good results. They report high absenteeism. Large casualties from insurgents has led to a climate of intimidation. Reports of infiltration by insurgents—they think infiltration of the U.S. base in the Mosul attack.

Allawi himself dismissed the national guard before the interim assembly, saying it was a concept not understood by Arab societies.

So, who's equipped, trained, led and experienced to fight the insurgency? As General Petraeus said—and he's a first-rate guy, please listen to him—we have to change the—quote, "the operational concept. This is an insurgency, not regular police work." That's Petraeus. Police commandos, led by General Adnam—I think, A-d-n-a-m, a former Iraqi general with whom I met last time around—Petraeus introduced us to him in December. He will eventually have about 1,000—he probably has about 600 now; that's an educated guess—able to operate independently in collecting their own intelligence. But Petraeus has figured out: don't send the cops back to their home town. Send the cops you finally do train to another town. Focus on—what we've been arguing you should do for two years—focus on training, essentially, SWAT teams, people to rely on, heavy training, heavily armed, to send them in. So we're finally doing that, Petraeus is doing that. But, just to put it in perspective, there's about 600 of those folks now. And this General Adnam is a pretty tough guy. I'm convinced he knows what he's doing, and Petraeus does, too.

Intervention force—latest reports, 9,159—all of them don't have the experience to stand up to the insurgency.

Special operation forces—latest report, 674—some element to the army—the latest report puts the number at 4,159—are trained. That's where I got the number, roughly 4,000. That's what we're saying.

The latest report puts the number at 4,159, though the mission is supposed to be national defense, not fighting internal battles against fellow Iraqis. These same outfits refused to fight in Fallujah in April.

This is my staff's assessment, and I agree with it.

At the high end, assuming every one of these forces is battle-ready, that would give you about 14,000 forces. But, in reality, it's probably no more than a third who are actually battle-ready. Most are rookies and will not have time to gain the experience, the skills that are needed, unless they're embedded, like our reporters are, in U.S. forces.

And the delays in the NATO staff colleagues helping? That hasn't helped at all, either.

Now, Peter Khalil, the former Director of National Security in the CPA—this is the guy who was in charge of training—in the *New York Times*, December 20, said, "The answer lies with specially trained Iraqi internal security forces, separate from the standard military, including mobile counterterrorism units, light infantry police battalions and SWAT teams. There are now only a handful of battalions with such training." Continue to quote, "Unfortunately, the coalition was late off the mark in building up these units, and the training is long—a minimum of 16 weeks for each man, as compared to the two weeks of boot camp given to a typical guardsman." Quote—continued quote, "Training these specialized troops will take time; the United States should be prepared to shoulder the main burden of Iraq security for the next six to 12 months."

Now, Khalil also did a piece in the *New York Times*. He's now a visiting fellow of the Saban Center for Middle East Policy. And he says, and I'll end this, "150,000 Iraqis who have so far joined the state security services can do little to stand in their way; in fact, even if their ranks increased to 500,000 through rushed training, they would still be largely ineffective. However a force of 25,000 or so highly trained Iraqi internal security troops, operating at the sharp end of the spear, with the remaining bulk Iraqi forces in a supporting role, might be able to do the job. That's because counterinsurgency is not about numbers; the quality of the security forces, not their quality is the key."

Every single person I have spoken to—on the ground in Iraq, in my four trips, three since Saddam is down, every tough marine, every single military guy I've spoken to, says that. Been saying it for two years. And yet you guys—I'm not asking people to say, "Mea culpa, mea culpa, mea maxima culpa, we made a mistake." Forget that. You all don't do anything except parrot, "We've trained 120,000 forces."

So I go home, and people ask me the same thing they ask the Senator from Illinois, "Why are we still there—120,000 trained Iraqis—why are we still there?"

So do me a favor—as my mother would say, "God love you, please do me favor"—start to tell the whole deal. Let me cite a new definition of "trained." If you're able to take the place of U.S. Forces. Let's call it that.

And I'd like you to think about and, in private, tell us later—after you're Secretary, and I'm about to vote for you in about five

minutes—tell us how many of those folks you think—and, for God’s sake, don’t listen to Rumsfeld; he doesn’t know what in the hell he’s talking about with this.

Thank you very much. You want to comment? I welcome it.

Dr. RICE. I only want to say, Senator, that we talked, yesterday, about the fact that the 120 is “those trained.” I said, there are problems with leadership, there are problems with desertion, there are problems with some absenteeism, as well. And I also said, in response to Senator Obama, that the real test is, do they fight when they’re put in the field? In some places they’ve fought well, in other places they’ve not fought well.

Senator BIDEN. What’s your overall assessment?

Dr. RICE. I think that we have had problems with the training. I’d be the first to say that. That’s why General Petraeus says what he says. And we’re working to address those problems. And that’s one reason that General Luck is out there, is to get an assessment of what we need to do.

Part of it is that the circumstances do keep changing. We thought we were training “beat cops.” We were training cops who were going to have to face insurgents.

Senator BIDEN. In truth, they haven’t changed, in 19 months.

Dr. RICE. Well, that piece of it has changed. Because the cops were taking a real beating. But, at any case, we are absolutely clear that that key for the administration, the key for America, is to get Iraqi forces trained. We understand that. We are working on it.

Senator BIDEN. That translates, then, that we have to keep American forces in large numbers there for at least six months to a year, right?

Dr. RICE. Well Senator, we can—let’s have this discussion later. I will say that I don’t know if the standard is—

Senator BIDEN. Believe me, I’d rather have it after I was confirmed.

Dr. RICE. I don’t—no, no. I don’t know if the standard is that they have to be able to, one for one, replace American soldiers. There are some things that they will do better than American soldiers because they know the neighborhood. There are many things that they will not do as well. And so I think I would not accept as a standard a one-for-one exchange of an Iraqi for an American soldier. That’s my only point.

Senator BIDEN. What is your standard? You tell me your standard.

Dr. RICE. My standard is that they are able and capable of carrying out the tasks that are required to deal with the insurgency, and to begin to root out the insurgency, and to work in a counterinsurgency way. Frankly, they may not do it the way an American soldier would do it.

Senator BIDEN. As long as they do it, so we can come home.

The CHAIRMAN. Well, thank you very much, Senator Biden.

Dr. Rice, as you can tell, we are, as a committee, concerned about the training; likewise, we are concerned about the economic issues that were raised yesterday as a part of foreign policy; we are concerned about the budget; we are concerned about support for your

Department. We want to ensure that you have the resources that are required.

We appreciate, very much, the quality of your answers. We appreciate the quality of the questions that were raised. This has been a comprehensive view of American foreign policy at times of stress. We congratulate you on the hearing.

I look forward to supporting you. For the moment, I will recess the hearing, and then, in a few moments, we will commence a business meeting of the committee.

Senator BIDEN. Thank you very much, Dr. Rice.

Dr. RICE. Thank you, Mr. Chairman. Thank you, Senator Biden. Thank you, Members of the committee.

[Whereupon, at 10:44 a.m., the hearing was adjourned.]

THE NOMINATION OF DR. CONDOLEEZZA RICE TO BE SECRETARY OF STATE

Business Meeting

Wednesday, January 19, 2005

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington D.C.

The committee met, pursuant to notice, at 10:46 a.m. in Room 423 Dirksen Senate Office Building, Hon. Richard G. Lugar [chairman] presiding.

Present: Senators Lugar, Hagel, Chafee, Coleman, Biden, Sarbanes, Feingold, Kerry, Boxer, Nelson, Obama, Dodd, Alexander, Sununu, Murkowski, and Allen.

The CHAIRMAN. Members of the committee, I call the business meeting to order. The question before the committee is on the nomination of Condoleezza Rice to be Secretary of State of the United States of America. Is there a debate, or discussion, at this point?

Senator BOXER. Mr. Chairman?

The CHAIRMAN. Senator Boxer.

Senator BOXER. Mr. Chairman, first let me thank you from the bottom of my heart for your fairness in these hearings. I know it's difficult, and these are difficult times, difficult matters. I think you show patience and you show a spirit of bipartisanship that I think is a model for the rest of us tonight.

The CHAIRMAN. Thank you.

Senator BOXER. I just want you to know I feel that way. In my mind there is no doubt that Dr. Rice has the resume and the intelligence, and the experience to be Secretary of State. And after nine hours of grueling questions and answers she certainly proves she has endurance for the job.

But I'm very troubled because, although this committee on both sides gave Dr. Rice the opportunity to speak candidly and set the record straight, there were a number of areas where she just didn't do that. She was given a chance to set the record straight on the nuclear threat which was hyped to the American people and got this country into a war. She failed to admit that she had made any mistake in over stating Saddam's nuclear capabilities even though as I put into the record at least four agencies had told her otherwise.

She was given the chance to set the record straight on terrorism and the effect of the Iraqi war on terror. She actually stated that al-Qaeda had lost territory, when in fact the record shows that al-

Qaeda has expanded from operating in 45 countries in 2001 to 60 countries today. And I think Senator Feingold pressed her on that in terms of al-Qaeda's president—presence in Africa.

I pointed out to her a State Department document showing no al-Qaeda in Iraq before 9-11. She didn't even address that. And that was a report that was signed by the President of the United States. She was on another subject given a chance to set the record straight on our inconsistent policy towards Central America. Senator Chafee pressed her on that, I pressed her on that, Senator Dodd pressed her on that. And she showed a rigidity in her answer which I found troubling. She was given the chance to set the record straight on what Iran can do—this was an answer to Senator Biden—to avoid a dangerous clash with the United States of America. And she demurred when given this amazing opportunity she had to speak directly to the Iranian leadership.

She was given the opportunity to set the record straight on the number of really trained Iraqi security forces and our exit strategy in Iraq. Every American wants us, yes, Senator Alexander, to succeed and leave. And yet she would not really even say that this was a troubling issue, when pressed by Senator's Biden, Kerry, and Obama. She was given the chance to address the issue of America's past relationship in supporting Saddam Hussein when he was gassing the Iranians. She didn't even pick up that challenge, or discuss that in anyway to set the record straight.

And I have to say most troubling to me, she was given the opportunity to set the record straight on her feelings about torture and the United State's policy on torture. And here I have to say I have grave concerns. Because she said to us today that she never objected to the language in the intelligence bill written by Senators Lieberman and McCain when I have right here her very words that the administration opposes that section which provides legal protections of foreign prisoners. And I ask unanimous consent to place this into the record.

The CHAIRMAN. It will be placed in the record.

Senator BOXER. So a lack of candor in the past is bad enough. And here we have a continuing assault on reality. This is not right. The fact is she said, well, we objected to other sections, not the section that guaranteed that no prisoner shall be subject to torture or cruel, inhumane, or degrading treatment or punishment that's prohibited by the Constitution, and yet that's the very section she cites in her letter, Mr. Chairman. So her lack of candor on that issue alone is very troubling to me.

Now I know there are areas of common ground. I think that Senator Murkowski raised some of those because—I'm so happy she's on this committee because we can really work together on issues affecting women and children and families, and I'm thrilled that she's here. And Dr. Rice is very accepting of the fact that this will be important to her. I'm very glad about that. And I'm glad she mentioned the Syria Accountability Act which I authored along with Rick Santorum, which is now the law of the land. But that aside, these other areas are terribly troubling.

And I'll conclude in this way. This is a terrific committee. I'm so proud to be on it. I think members on both sides are very candid and forthcoming. And I didn't see that replicated by Dr. Rice and

we gave her every opportunity on both sides to do that. I look at her opening statement, as I said yesterday, and wait to page three, the bottom of page three, a thousand words into it to mention Iraq and a passing reference to the Tsunami.

I just if—I think if someone was kind of beamed down and knew about what was troubling Americans and they read that, I agree with Senator Biden, it was sort of “don’t worry, be happy” until this committee got into the hard issues of the day. So I continue to stand in awe of our founding fathers. I wish there were founding mothers at that time. Give credit where credit is due. That anyone at a high level like this is in fact responsible to the American people.

And I hope if nothing else Dr. Rice now gets the difference between her role as the National Security Advisor where she wasn’t in any way responsible to come before Congress, but went to the American people and sold a war, and continued to repeat things that were not so. And her role now where she is responsible to the American people as well as to the President, and to the American people through us. And so I just hope we have better times ahead and I will not be able to support this nomination even though I know I’m in a—a quite a minority. Thank you.

Senator ALLEN. Mr. Chairman?

The CHAIRMAN. Senator Allen.

Senator ALLEN. If I may Mr. Chairman. Thank you and Senator Biden for your outstanding leadership of this committee. I’ve listened to the Senator from California’s comments and questions. In fact when talking about Dr. Rice’s opening statement, I thought it was a very powerful opening statement. And while we can quibble as to which page and when into the speech one gets into talking about Iraq, I think this is how we need to look at Dr. Rice and the totality of her character, her experience, her knowledge, and capabilities to be our next Secretary of State. One, in reading her statement, she first talked about her own background. All of us are a composition of our life experiences. The fact that she grew up in the segregated south, persevered, is part of what I think will help her be an effective Secretary of State as we’re trying to advance freedom around the world.

She then got into the details, but the key point in her testimony and all the questions was, we want to advance freedom. And I think that should be a bipartisan goal and aspiration. And throughout it all, Dr. Rice showed a basic, fundamental belief in trusting free people, trying to advance freedom, put in the institutions of freedom so that there is not corruption in government, how there’s religious freedom, how there’s freedom of expression, many times talking about the rule of law. She faced some tough questions on some tough challenges facing our country presently and in the future. And there was some bump and run defenses and tactics used against her but she never really got off stride. She kept her poise through these many, many hours of questioning and I think when you look at the totality of her—of her record, her experience, her principles I respectfully ask my colleagues to confirm President Bush’s choice to be his Secretary of State.

I think she will do our country proud. She has shown a great deal of poise, a great deal of intellect, and I believe that this com-

mittee has asked, and every Senator's had more than adequate chance to ask questions.

But through it all Dr. Rice has never gone off stride. She's the embodiment of the modern day American dream for all people who have an equal opportunity to compete and succeed regardless of their gender, their race, or their religion. That is the meritocracy we have in this country. And she understands that as does this President. As other countries, the people in other countries of the world have such opportunities not only will they have greater opportunity and hope, but we also will be more secure. And I think Dr. Rice will be an outstanding Secretary of State for advancing those principles. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Mr. Allen.

Senator KERRY. Mr. Chairman.

The CHAIRMAN. Yes, Senator Kerry.

Senator KERRY. Mr. Chairman, first of all, thank you very much for your stewardship of these hearings. They have been what my colleagues have—have called them. I think you've been fair and patient and generous and I appreciate it and I think everybody on the committee appreciates it. And I want to thank you for staying extra time last night and I thank Dr. Rice for hanging in there. The Senator from Virginia talks about sort of the standard here by which we should make this judgment.

There isn't anybody in the United States of America who doesn't admire Dr. Rice for the journey she's made, for what she represents. And is she qualified for the job? Absolutely. Of course she is, absolutely qualified. The President has a right to make a choice. But our votes also have to count for something, and it seems to me if you think about this hearing and what we've heard over the course of the last hours, a majority of this committee, bipartisanly, has expressed unbelievably serious reservations about policies in one part of the world or another. Serious reservations about North Korea, about Iraq, about Iran, about proliferation, about Haiti, about Latin America. And particularly the absence even of policy in some of those places.

So in my judgment it's not a question of ratifying a life story as much as it is a judgment that we make about the direction of our nation, the security of our country, and the choices that have been made. The judgments that have been made over the last years. I choose to vote my concerns, not to overlook them. I choose to vote my gut, not custom. I know what custom says. But the fact is that Dr. Rice is one of the principle architects, implementors, and defenders of a series of administration policies and choices that in my judgment have not made our country as secure as we ought to be in the aftermath of 9-11. And that have alienated much of the world and certainly much needed allies in our effort to reduce the cost in lives and dollars to the American people.

I also believe there's been a collateral cost of other initiatives that we might have been able to undertake that would also have advanced the cause of freedom as well as the security of our nation. I came to this hearing genuinely open minded to see what I would hear. And I regret to say that while we heard words sort of offering—so the convention of this city and of current politics. I didn't see in the testimony an acknowledgment of the need for a funda-

mental bipartisan change. For a policy that shows a direction that can build the kind of consensus that our nation needs and that the world needs.

Nor even a new vision for America's foreign policy that can make us stronger and help us win the war on terror. On Iraq, on North Korea, and on Iran to name just a few what I heard was really a policy that predicts more of the same. Senator Biden is right about those numbers and the refusal to even acknowledge that to the American people is quite stunning at this point in time. You can't deal with that kind of reality, you can't really tell the American people what the choices and options really are.

I hope I'm proven wrong. And I hope the course will change. And I hope the administration will recognize the strength of a foreign policy that has bipartisan support. And I'm prepared as I said last night to work with Dr. Rice and all the colleagues on this committee to find the kind of bipartisanship that has always made America stronger. Historically politics stopped at the water's edge, it ought to. We haven't seen that kind of strength in these last years.

So I will work, I'll work with the administration, I'll reach out and I'm confident that colleagues on both sides of the aisle will do the same. But while I recognized at the beginning of this hearing that Condoleeza Rice will be confirmed overwhelmingly by the United States Senate it will have to be without my vote for the reasons that I've stated. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Kerry. Let me just make a personal comment. Part of Dr. Rice's responsibilities, as we all recognize, is to be a strong administrator of the Department of State. She has spent quality time to try to make certain that confidence could be built in the Department. Secretary Powell was certainly remarkable in the leadership that he gave in that respect. I mention that part of the issue because it's one that we all have to be cognizant of on this committee.

We talked about the support that she will need, the budgetary support, the things that need to happen in our embassies abroad, in our consulates, the security of our people. We touched upon these issues which are not really differences of policy but really ones of emphasis. This committee should be an advocate for a strong budget. We have talked about the need for a strong authorization, the refashioning of various institutions that sometimes don't get looked at.

I see in Dr. Rice someone who is fully capable of making changes as required, of working and listening carefully to those who are part of that Department and in our embassies. I admire that. I appreciate the points made by members on both sides of the aisle with regard to the debate that we have had for many years on American foreign policy. Certainly that has been found in this committee in abundance. We have a responsibility to try to bring forward a bipartisan support so there is one face for America. I think that the committee has discharged that very well through the chairmanship of my friend Joe Biden and hopefully during the past two years.

I think that this hearing was designed for not only a ventilation of all of our views but also a public opportunity for Dr. Rice and

for the American people to understand the gravity of our concerns. We have underlined many concerns.

There were, in fact, instances during our hearing in which Dr. Rice recognized that we have work to do. There will be more conversations, more hearings. There will need to be. At the end of the day, she does have very strong confidence in the President of the United States, and it's a unique relationship. I'm not certain that I saw the very beginning of it, but I think I saw a part of that in visits to Stanford University to see my friend and our former Secretary of State George Schultz at a time when Dr. Rice was serving as provost of the university. For a variety of reasons, George Schultz came to the conclusion that, at least on the Republican party side, that George Bush was the best bet. As a result he gave very strong support to the candidacy of the Governor of Texas.

Perhaps through his intercession, Dr. Rice became an advisor, and was even sometimes suggested as a tutor, as a mentor to Governor Bush during the primary campaigns and the election. That trust has been built over many years. She does have the ear of the President.

Many of you have raised questions as to how candid she will be with the President. She affirmed today that she tells the President what's on her mind. Sometimes he agrees and sometimes he disagrees. Each one of us, less frequently, has had that opportunity. Most of us have availed ourselves of that opportunity in very candid ways, advising to the best of our ability our President about what we believe is the thing to do.

I see in Dr. Rice, in the conversations that I've enjoyed with her, sometimes with Senator Biden, sometimes with other members of the committee, a degree of openness to listen. She possess a loyalty to the President, so there is not immediate acquiescence or commitment. But at least there is an opportunity to move the policy along. I saw in her discussion today of the nation building issue, now called reconstruction or whatever, a very large change. President Bush in his first few speeches on foreign policy five years ago indicated that we were not involved in nation building, and that was the generally held view of many people, on both sides of the aisle. When Chairman Biden held hearings before the war on Iraq, we heard from many witnesses. We asked how long will we be there. The witnesses said, some in the Bush administration, some in previous administrations, that the mission would not be very long because it would be embraced by the Iraqi people. They'll proceed on to democracy and we'll be out of there.

Our role is not one of building, and hand holding and so forth. We've had a 180 change in this world. We all understand, having seen Afghanistan and elsewhere, how profound that change has been. Dr. Rice did acknowledge that we are enthusiastically trying to build something. We're going to have to make sure it has the right personnel cadre for whatever the contingency may be.

I look forward to supporting her nomination both today and when we will have a vote of the full Senate. Even more importantly I look forward to working with her, and to expressing to her as candidly as we did today things that we think are important, and try to make available for members of the committee those opportunities, so that we will have a sharing as constantly and as consist-

ently as possible. Let us just conclude by saying that I'm hopeful that members will give her strong support with their votes today, but, even if not, then at least with their support and their good advice in months to come.

Senator Dodd.

Senator DODD. Well, thank you, Mr. Chairman. And let me—because I presume others may want to if not make public statements here today want to have some remarks included in the record. So I'd ask unanimous consent that any and all members be allowed to express their views. I'd ask unanimous consent that some comments I have be included in the record. I'll leave it there.

Let me—first of all let me begin by saying if I had my druthers this morning the chair to my right would be vacant and that I would have listened to someone appear before this committee at some date seeking the job of Secretary of State. Is that mic—is that mic on? And possibly even the chair to my left might have been vacant as well under some circumstances. I began my membership on this committee 24 years ago. I'm watching this new freshman from Illinois, and by the way you handled yourself brilliantly, I thought, during the last day and a half, and I'm very proud to have you as a member of the committee along with Senator Martinez and Senator Murkowski. When I sat in that chair, Al Haig was the nominee under the Reagan administration. Senator Sarbanes, Senator Biden, Senator—the chairman of the committee were present at that time. And so I've been through a number of these hearings over the last 24 years. I think I've counted I think seven Secretaries of State over that period of 24 years that have been before this committee.

I always begin with the presumption that elected Presidents ought to have their official families, their cabinets. To begin with that presumption—I don't do the same with judicial nominations, but I certainly do when it comes to having the people around you who are going to express and carry out the policies as you've described them and as they've articulated them. And I do that here in this case as well.

And I intend, on that basis, to vote for this nominee. Having said that, I want to thank Senator Boxer and Senator Kerry. Others may take the same view they have of this nomination, but I think the Chairman has said it well and the ranking member has said it well. This is a very important service we provide to the American public through a confirmation hearing. However the votes are cast those who have watched the hearings and as they've been reported it's one of the unique opportunities we get to really examine as we thoroughly would like a broad array of issues that affect the interests of this nation. And whatever you may feel about the votes we cast here I think the Senators who have raised the criticisms and the expressions made by my colleagues from California and Massachusetts have provided an invaluable service. Because they've raised serious questions about past policies of this administration and where they will take this nation over the next four years.

I was deeply troubled by the unwillingness of Dr. Rice, just very candidly and simply to answer the question about torture. It's troubling to me because as others have said, it's not just the President of the United States, it's the face of American foreign policy, but

the Secretary of State as well. In simple statements that they make they can say so much about who we are as a people. What direction we want to go in as a nation as we begin this 21st century.

Troubled as well about a lack of interest that I suspect that exists when it comes to Latin America. And again I thank my colleague from Florida, my Senate colleague from Rhode Island, for spending the last week, more than a week traveling in the region to try and understand better the needs of this part of the world and how we can, in a cooperative way, look for new ways to establish new relationships that will advance the interests of our own Nation.

So, Mr. Chairman, I thank you for your patience as Senator Kerry and Senator Boxer have pointed out. You've conducted a wonderful hearing. It's been a pleasure to serve with you over these last 24 years in this committee. And I hope that Dr. Rice, that she listened carefully to what Senator Boxer was saying and Senator Kerry and Senator Biden, Senator Obama, members on this side. We need to get back to building this bipartisanship in foreign policy. It is critical. The problems we face are international in scope; they require cooperation. We've done it in the 20th century, we need to do it in the 21st century. And so I'm going to take the side of supporting this nominee with all the reservations that have been expressed. Because I want to begin with a sense of optimism that maybe we can go in a bit of a different direction on these pressing issues before us. And I look forward to working with her. I hope she does reach out to the minority, work with the majority and this committee to try to help forge a more constructive and thoughtful foreign policy for the 21st century.

The CHAIRMAN. Thank you, Senator. All right, Senator Biden.

Senator BIDEN. Mr. Chairman, thank you very much, thank you, and I thank Dr. Rice in abstentia for being willing to be here as long as it would take. I don't second guess the motives of any Senator and how they vote. I respect the Senators from California and Massachusetts and I could easily see how I could go that way.

But I want to make one clerical point. We did have extensive hearings prior to going to war in that brief period when I was chairman, then you followed through with even better hearings on whether or not to go to war. And it is true that former administration witnesses came forward, from Weinberger on, saying that this would be a slam dunk—didn't use the words slam dunk but that we'd be greeted with open arms, that it would be fairly quick. We didn't have to worry about nation building. Then you raised, extensively, questions about duration. But the vast majority of the witnesses we had said this was going to take years upon years. That's why the title of the article that was issued after our series of hearings when I was Chairman was not "The Day After" but "The Decade After."

"The Decade After." You and I and Senator Hagel and others on this side talked about how this was going to be a gigantic commitment, and that we should get ready for it. Which leads me to this point. I think we're going to rue the day when the administration acknowledges that they failed to level with the American people about what was required of the American people in order to make

this policy work. I know I've said it a thousand times, and I'm going to say it a thousand more times, no foreign policy can be sustained without the informed consent of the American people. And that means the whole deal.

I thought Senator Boxer was really articulate in making the point about half truths. I am a practicing Catholic which I guess as a Democrat is getting harder to be. But I'm a practicing Catholic. I went through Catholic grade school and I remember when we were learning to receive the sacrament of penance where we Catholics go in confession, as some of my non-Catholic friends know, and confess our sins. Which I still do because I still have many to confess.

And I'll never forget the pastor in Saint Helen's where I was a student taught by the Sisters of Saint Joseph. He tried to explain to a grade school kid that when you go to confession you have got to tell the whole truth. And he gave the following example: Johnny went to confession and said, "Bless me, Father, for I have sinned, this is my first confession. And I want to tell you the sins I've committed". Johnny proceeded to say, "I did something very bad, I stole something." And Father said, "what did you steal, Johnny?" Johnny said, "I stole a gold chain." Father said, "Well, Johnny, are you sorry for that?" And Johnny said, "I am heartily sorry Father. I'm heartily sorry for it, but I lost the chain and I can't give it back." So the priest admonished him and then said, "Say three Our Father's and three Hail Mary's and be a good boy." And Johnny left.

And then father learned that there was a gold watch attached to that chain. Johnny told the truth, he stole a chain. But there was a gold watch on the end of the chain. Johnny didn't tell Father that part. And he still had the watch. So Father went on to say, "When you go to confession tell the whole deal. I not only stole a chain. There was a gold watch hooked to the chain."

This administration, first of all, doesn't go to confession, nor should it have to. But it hasn't told the whole story about what we face. And I hope I'm wrong. I've been here 32 years. I go back a long way with Secretaries of State. Kissinger was National Security Advisor when I got here. Wasn't even Secretary of State yet.

And I am very concerned that the American people—when the going gets even rougher, which it well—may say, "Hey guys you don't know what you're talking about. We want to get out of there." And I'll make you all a bet, I doubt whether anybody would disagree with me.

We leave before the job is done and we will have a generational problem. A generational problem in the Middle East. It will be chaos. The likelihood of the Saudi Kingdom remaining is, I think, is problematic. The Jordanians would be under incredible stress, the Turks and the Kurds may very well go to war over time. It will be a disaster. I hope I'm wrong. Hope everybody gets to say, Biden, you said if we lose this for the American people, leave prematurely, that these awful things are going to happen and they didn't happen. I hope I'm wrong.

You're all politicians, you all know what your folks are saying at home. How many of your folks are saying at home what you know is the truth? We've got to send more forces. How many folks at home say, "Let's really stay the course here?"

Some are, but they are doing it, I think, because they believe the President's told them the whole deal: "We got 120,000 trained troops, we don't really need to have any more significant expenditure there. We, in fact, don't even have to include Iraq in the budget—it's going to take care of itself. And by the way, things are getting better from June through December. Everything is fine in Iraq, it's getting better." The American people, because they like him, as I like him, believe the President levels with us. "Man, what's the matter with you, Joe? You go over there to Iraq and you come back and say, 'Geez it's not that good.' President says it's fine."

And with regard to advancing freedom, if my colleagues can forgive me, although the future Secretary of State likes football so she won't mind the analogy. Senator Allen's father is one of the greatest pro football coaches in my lifetime, so I suspect he knows a lot more about it than I do. If I can continue the football analogy, he said, "We want to advance freedom." Well, we want to score when we're on the team.

But if the offense you're running isn't working, you've only gained a total of 74 yards in the first three quarters, and there's been four interceptions. And the defense is riddled with holes because you're running nickel defense, and it's not working against this quarterback. What you want to ask at halftime is, "Hey, it ain't working, we're losing. What's the plan Stan, what's the game plan? Are you going out of that nickel defense, are you going to stop trying to run the ball up the middle? Are you going to move on the outside and run counter plays? What's the deal, what are you going to do? How are you going to score?"

So everybody here wants to advance freedom. But a lot of us think of advancing freedom by wishing that if we just make it available to you and you see it you will rise up and embrace it. I don't think it works that way.

So what we need is a coach George Allen. We need a game plan. And all we're looking for here, to continue this silly analogy, is for a game plan on training. Just tell me the plan, what is the game plan? What you have now, everybody acknowledges, is not working. What's the game plan on Iraq?

You want us to support you, Mr. President, and I want to support you. We want to have a bipartisan foreign policy. As my friends can tell you, I often get beat up on in our caucus because I'm not more critical of the President. I want to help. But we also need a game plan for Iran and Russia. And how are we going to do it? Everyone, including Dr. Rice, says it needs to be done.

What Dr. Rice is saying, by implication and directly, is that we have to repair our relations around the world. Diplomacy will be the watch word. Did any of you hear a plan on diplomacy? I've submitted to the President and other have, I think, about a 15–16 page game plan on public diplomacy that he seemed to like a lot. Other people submitted other plans. The President says, "No, what's the plan? What are we going to do?" I didn't hear a thing other than the oratory assertions that we want to do this. But I don't want to dwell on my disappointments as a result of Dr. Rice's testimony.

I must tell you, though, that the thing that stunned me most is either her lack of willingness to talk about it or her lack of understanding of the impact of the economy on foreign policy. I was literally stunned, when asked the question, "Do you want the dollar to be the reserve currency for the rest of the world or the Euro?" And then she said she didn't have an opinion on that. I'm paraphrasing. Whoa, that's the Secretary of Treasury's job.

I'll conclude, Mr. Chairman, by saying optimism is an occupational requirement in this business. And my job is the same as every other Senator here, no more, but its slightly different. My job as the Democratic Ranking Member on this committee is to, hopefully, continue to have a relationship with whoever the Secretary of State is. And it gets harder when you vote no. I like her, I've been disappointed, but I think of the obligation I have. And every other Senator can judge it for themselves. For me, my particular role is to be able to work with her where we can. Because I do think she has the President's ear.

And I hope she's willing to take on some of the neoconservative notions in this administration. And maybe this is the wish is the father of the thought, maybe she is a neoconservative and I don't know. But if she's not, I hope she confronts some of the premises upon which this is based. And that's the reason I asked her yesterday, Mr. Chairman about the stories in the *New Yorker* by Seymour Hersh, who is a pretty solid guy. Saying that we already have teams in there trying to figure out how to take down the nuclear act. Coincidentally, I had George Tenet in Delaware for four hours, rode up in the train with him. He made the obvious point without declaring anything that I didn't already know or you don't already know. The Iranians have gotten smart. It's diverse, it's all over the country. There ain't no one rocket shot that we can take out like the Israelis did before. That does not exist as a possibility. The reason I asked her the question was not about her confirming whether they're in there or not. I wanted to ask her the underlying point.

The premise the neocons have, if this is being done, some of our neoconservative friends, is not that you'll destroy all the nuclear capacity but that that will cause the freedom loving people of Iran to rise up and throw out the clerical oppression. That's the basic fundamental premise. And I hope to God she doesn't believe that. And I hope to God that if she doesn't believe it, that she'll be the one, if anyone presents such a plan to the President, who says, "Whoa, whoa, wait a minute. Let's get real here." That's the reason I asked the question.

You know, Mr. Chairman, we who do foreign policy everyday, we have a whole different vocabulary, we talk in terms and phrases that make what we do sound really important. We talked about the first tranche agreement and the second tranche and we talk about having bilat with so and so. We better start to speak simple English. All foreign policy is a logical extension of human relationships with a whole hell of a lot less information to go on. So we've got to start talking to the American people that way. And the President is extremely good at that if he chooses to do it.

Now I'll end, Mr. Chairman, with this point. I thought that Senator Kerry was eloquent when he said how he chooses to view this

question. And it reminded me—I hope I’m quoting it correctly because I try to quote everybody correctly—of a quote from Samuel Johnson, who was talking about second marriages. And Samuel Johnson said, “Anyone who marries a second time is choosing the triumph of hope over experience.” That’s Samuel Johnson’s comment. Well this is a second administration and I acknowledge I am choosing the triumph of hope over experience.

Because my experience with the first four years of this administration has not been real good in terms of what I think their policies are. And my experience with Dr. Rice in this hearing has been a disappointment. But I choose hope over experience. Because at the end of the day the constitution says, as my friend from Connecticut says, the President gets to propose and we dispose. We all are required, as responsible Senators on both sides of the aisle, to choose the standard by which we’ll make that judgment. And my standard has always been, with regard to a cabinet, the President is entitled to his family even if they’re substantially wrong.

The only time we’ll vote against cabinet appointees is when they’re appointed to dismantle that cabinet that they’re being appointed to. That’s why I voted against Reagan nominees for the Department of Education because Reagan said, as the former Secretary would say, he chose to eliminate the Department of Education. So I wasn’t going to be complicitous in voting for someone who’s job it was to dismantle the Department of Education. And I also voted against people who I thought were incompetent in their mastery of the subject or people who’s reputation and character was not worthy of a vote. On all that score, in no sense does Dr. Rice fit any of those probations in my view.

So I’m going to vote for Dr. Rice. But I pray to the Lord that she’s at least telling the President, “Hey boss, it’s not going that well. Hey boss, we don’t have that many people trained. Hey boss, the Iranians aren’t going to rise up if some of our special forces guys take out a nuclear facility. Hey boss, we ought to read a little bit of history.” It’s really that basic. I’m not trying to be a wise guy. It’s that basic. So, Mr. Chairman, I thank you for your patience as you would acknowledge this is, other than voting for the Supreme Court or the third branch of the government, I think this and the Secretary of Defense jobs are the two most important jobs we vote on. And I look forward to working with you and Dr. Rice. She’s always been available when I’ve asked her for her view. But I was disappointed in this hearing.

The CHAIRMAN. Thank you Senator Biden. This is an important vote, and I hope we’re prepared for the vote. And if so, I’ll ask the clerk to call the roll.

Ms. OURSLER. Mr. Hagel?

Senator HAGEL. Aye.

Ms. OURSLER. Mr. Chafee?

Senator CHAFEE. Aye.

Ms. OURSLER. Mr. Allen?

Senator ALLEN. Aye.

Ms. OURSLER. Mr. Coleman.

Senator COLEMAN. Aye.

Ms. OURSLER. Mr. Voinovich?

The CHAIRMAN. Votes aye by proxy.

Ms. OURSLER. Mr. Alexander?
Senator ALEXANDER. Aye.
Ms. OURSLER. Mr. Sununu?
Senator SUNUNU. Aye.
Ms. OURSLER. Ms. Murkowski?
Senator MURKOWSKI. Aye.
Ms. OURSLER. Mr. Martinez?
Senator MARTINEZ. Aye.
Ms. OURSLER. Mr. Biden?
Senator BIDEN. Aye.
Ms. OURSLER. Mr. Sarbanes?
The CHAIRMAN. Aye by proxy.
Ms. OURSLER. Mr. Dodd?
Senator DODD. Aye.
Ms. OURSLER. Mr. Kerry?
Senator KERRY. No.
Ms. OURSLER. Mr. Feingold?
Senator FEINGOLD. Aye.
Ms. OURSLER. Mrs. Boxer?
Senator BOXER. No.
Ms. OURSLER. Mr. Nelson?
Senator NELSON. Aye.
Ms. OURSLER. Mr. Obama?
Senator OBAMA. Aye.
Ms. OURSLER. Mr. Chairman?
The CHAIRMAN. Aye.
Will the clerk please tally the count?
Ms. OURSLER. Sixteen yeas two nays.
The CHAIRMAN. Sixteen yeas; two nays. The committee votes to
report the nomination to the Senate floor. I thank all Senators.
[Whereupon at 11:31 a.m. the committee was adjourned]

APPENDIXES

APPENDIX I—RESPONSES TO QUESTIONS SUBMITTED FOR THE RECORD BY MEMBERS OF THE COMMITTEE TO DR. CONDOLEEZZA RICE

RESPONSES TO QUESTIONS FOR THE RECORD SUBMITTED BY SENATOR RICHARD G. LUGAR

AIDS Vaccine

Question. A group of independent organizations under the urging of the Gates Foundation has formed an alliance called the Global HIV Vaccine Enterprise. The Enterprise is preparing a blueprint for action by researchers and others to improve international collaboration. Do you believe that development of an AIDS vaccine is a national security issue for the United States? What plans does the administration have to support an international development program for an HIV vaccine?

Answer. This administration is dedicated to providing unprecedented global leadership and commitment in funding the global AIDS emergency. The President's Emergency Plan for AIDS Relief is the largest international public health initiative ever launched by a single nation against a single disease. Beyond being a vital matter of public health, the global HIV/AIDS pandemic carries strategic implications, posing a direct challenge to our country's political, economic, and even security interests.

Prevention of HIV infection remains a primary strategy in the fight against the worldwide HIV pandemic, and a safe and effective HIV vaccine would provide an extremely important tool for this purpose. At the Sea Island Summit, the G-8 countries, under the President's leadership, endorsed the establishment of a Global HIV Vaccine Enterprise. The President announced that he would establish an additional Vaccine Research and Development Center here in the United States and urged other nations to do the same.

The Office of the U.S. Global AIDS Coordinator works with several agencies in implementation of the President's Emergency Plan for AIDS Relief. Research for the development of an AIDS vaccine is primarily conducted under the auspices of the National Institutes for Health (NIH). The National Institute of Allergy and Infectious Diseases (NIAID), who oversee this initiative, recently released a Request for Applications (RFA) to establish a Center for HIV/AIDS Vaccine Immunology (CHAVI). The Center will support intensive, coordinated, and multi-pronged approaches to address key immunological roadblocks to the discovery and development of a safe and effective HIV vaccine as identified by the Global HIV Vaccine Enterprise at the G8 Summit. The award is expected to be awarded in late in FY06.

ITAR Waivers for the United Kingdom and Australia

Former Secretary of State Powell wrote to me shortly after I introduced legislation in 2003 regarding agreements the administration negotiated with Australia and the United Kingdom to gain exemptions from the International Traffic in Arms Regulations (ITAR, 22 CFR 120-130). Former Secretary Powell called my language "a prudent measure of legislative relief that will allow these agreements to come into force."

On October 28, 2004, President Bush signed H.R. 4200, the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375). I am very concerned with language appearing in section 1225, "Bilateral Exchanges and Trade in Defense Articles and Defense Services Between the United States and the United Kingdom of Australia." The National Defense Authorization Act for Fiscal Year 2005 did not provide the exceptions I sought, and, in fact, enactment of its provisions made many question the need for future efforts to obtain statutory exceptions for the exemption agreements with the United Kingdom and Australia.

The language of section 1225(b) of Public Law 108-375 states: “the Secretary of State shall ensure that any license application submitted for the export of defense articles or defense services to Australia or the United Kingdom is expeditiously processed by the Department of State, in consultation with the Department of Defense, without referral to any other Federal department or agency, except where the item is classified or exceptional circumstances apply.”

Question. Does the administration, and do you, support the agreements with the governments of Australia and the United Kingdom, as negotiated?

Answer. I welcome the Senate’s support for these agreements, which would allow most categories of unclassified defense items to be exported to two of our closest allies without a license, advancing interoperability and defense cooperation with the UK and Australia.

Only the British and Australian governments, and a limited number of companies that the United States selects, would be authorized to receive U.S.-origin defense items under the waivers.

I am aware our efforts to work with Congress on this issue are unresolved. If confirmed, I will review the situation promptly, and I look forward to working with the committee on this important issue.

Question. Do you envision any effort on the part of the administration or yourself to renegotiate either of these agreements, in whole or in part?

Answer. I know that our efforts to implement these agreements have been stalled, and, if confirmed, will review the situation promptly.

These agreements are the product of years of serious negotiation with the British and Australian governments and require them to enact new export control laws, regulations, and practices to better protect U.S. defense technology. Those improved measures are very much in our interest.

The British and Australian companies that would be authorized to receive certain categories of U.S. defense items without a license would also have to make new commitments, including to their own governments, to protect U.S. defense items.

Question. With regard to section 1225, do you agree with me that this language could harm our government’s ability to provide necessary and complete interagency review of munitions license applications because of the inclusion of the phrase “without referral to any other Federal department or agency?”

Answer. The State Department agrees with the general point that defense export licenses for our British and Australian allies should be processed as quickly as possible. However, it is not clear how the goal of responsible defense export controls was advanced by a law restricting the ability of licensing officers to seek input from agencies other than DOD. For example, most licenses related to the Missile Technology Control Regime (MTCR) have been referred to an interagency committee (Missile Technology Export Control committee, MTEC), which includes Commerce, and NASA as well as DoD. In other cases we have seen fit to consult law enforcement or intelligence agencies.

We think a better approach would be to approve the ITAR waiver agreements with these governments, which would allow certain unclassified exports to proceed without any license under controlled conditions, and to permit licensing officers to determine when and to which agencies cases need to be referred for input. Now, with more sensitive defense exports meriting case-by-case approval, our licensing officers will only refer an application to an agency other than DoD if they believe it has an interest or expertise that should be taken into as an “exception” to normal practice.

Nunn-Lugar Liability Issues

From 1992 until 1999, the Nunn-Lugar program operated under the terms of the Umbrella Agreement negotiated in 1991-92. In 1999, the 1992 agreement expired. A re-negotiated Extension Protocol was signed by the United States and Russia in 1999, and has never been sent by Presidents Yeltsin or Putin to the Duma. President Putin and other Russian officials have at various times promised to send the Umbrella Agreement Extension Protocol to the Duma, but this has not happened.

Question. Will you make ratification by the Duma of the Nunn-Lugar Umbrella Agreement with the Russian Federation a priority matter, and ensure that the United States engages at the highest levels necessary to break this logjam?

Absent Duma approval, and should the Extension Protocol expire under provisional application, do you see any other means with which to remedy the liability problem with our Russian non-proliferation assistance programs?

Are the problems of liability peculiar only to nuclear non-proliferation assistance programs in Russia, or are they emerging in other nonproliferation programs such as chemical weapons destruction or biological weapons redirection efforts?

Answer. If confirmed, I will continue to make Duma approval and Russian ratification of the Cooperative Threat Reduction (CTR) umbrella agreement (as extended in 1999) a key priority and will seek to ensure the United States engages with Russia at the highest levels necessary to achieve this. Ratification would put ongoing CTR programs on a solid footing. It is our understanding, however, that CTR ratification will not resolve liability for any expanded or new nonproliferation assistance programs with Russia. We will want to resolve both ratification and these other matters in 2005, well before CTR comes up for extension again in 2006. The administration is actively reviewing ways of breaking the liability logjam with Russia—while protecting CTR programs—to remove this impediment to plutonium disposition and other cooperation. If confirmed, I will make every effort to resolve these issues as soon as possible. On the other hand, ongoing CTR programs can continue absent Russian ratification of the CTR agreement, as they have since 1992 with no Duma approval or ratification. Those programs could also continue without Duma approval or ratification after the 2006 expiration date of the CTR agreement, if both sides agree again to extend that agreement provisionally in 2006.

Ongoing efforts under the CTR umbrella agreement or the International Science and Technology Centers Agreement (such as chemical weapons destruction and biological weapons redirection) have not been blocked by differences over the liability issue. But the liability issue has hindered progress on important projects outside CTR, most notably U.S. and G-8 efforts to convert excess Russian weapon-grade plutonium into forms not useable for weapons under the plutonium disposition program.

Congressional Conditions on Nunn-Lugar Assistance

Question. What is the national security benefit of maintaining the CTR certification and waiver process in light of the fact that for every time Russia (or in some cases other states) have not met the conditions, the administration has waived the conditions in the interests of US national security?

Answer. I share concerns about the certification requirements for assistance to Russia (or other states) under Cooperative Threat Reduction programs of the USG.

The fact that each year since 2002, Russia has benefited from waiver authority when certification could not be made demonstrates the over-riding importance to U.S. national security interests worldwide of the aid provided under CTR.

Since there is every reason to believe that CTR assistance will continue to be of vital importance to the U.S. national interest as long as it is needed, if confirmed, I look forward to working with Congress on this issue.

Congressional Conditions on Nunn-Lugar Assistance: Chemical Weapons Destruction Facility at Shchuchye, Russia

Question. Section 1308 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107) created six requirements for certification before construction of the Chemical Weapons Destruction Facility (CWDF) at Shchuchye, Russia, could continue. Four of the six requirements have now been met, but Russia still has not provided information “regarding the size of the chemical weapons stockpile of Russia.” More than three years after their enactment, do you believe the requirements of section 1308 of Public Law 107–107 have furthered US objectives with respect to securing and destroying chemical weapons at Shchuchye or with regard to Russian transparency under the Chemical Weapons Convention?

Answer. The destruction of Russia’s chemical weapons at Shchuchye, in accordance with the verification provisions of the Chemical Weapons Convention (CWC), furthers the key U.S. national security objective of keeping weapons of mass destruction and related technologies out of the hands of terrorists or rogue states.

However, the United States maintains longstanding concerns regarding the completeness and accuracy of Russia’s chemical weapons stockpile declaration. Despite Russia’s insistence that they do not possess any undeclared chemical weapons stocks, the United States continues to pressure Russia for clarification of our concerns, and an acceptable approach that will increase our confidence in this area as part of our regular expert level consultations. Experts and Senior administration officials have pressed Russian officials for documentation into past activities, as well as short-notice visits to undeclared suspect Russian chemical weapons sites. Russian officials have told us that past documentation in this area no longer exists and that visits to undeclared suspect CW sites are not acceptable. However, the United

States remains ready to review Russian proposals in attempt to resolve our concerns.

The existence of the conditions in Section 1308 provides some additional leverage on our continuing efforts to address our compliance concerns with Russia. The construction and use of a CWDF at Shchuchye is essential for the timely and irreversible destruction of Russia's nerve agent.

Despite slow progress and longstanding concerns regarding the completeness and accuracy of Russia's chemical weapons stockpile declaration, the United States will continue to pursue resolution of these concerns with Russia.

Senior administration officials meet regularly with Russian counterparts and stress the importance of resolving these concerns in a timely manner, as well as remind counterparts that funding hinges on tangible progress.

The United States intends to continue to address this matter through a combination of gathering corroborating information, identifying an acceptable approach, encouraging Russian cooperation and transparency, and continuing bilateral expert consultations.

Budget: Strengthen Capacity

Question. One of your most important tasks as Secretary of State will be to design and fight for a budget that reflects the challenges and difficulties that our foreign policy faces as we fight the war against terror. What are your plans to strengthen our civilian capacity in the same way we are strengthening our military capacity?

Answer. Winning the war on terror remains our top foreign policy priority. With support from Congress, the Department has established a new Office of Stabilization and Reconstruction to provide a civilian capacity to respond to post-conflict situations and thwart the growth of terrorism and spread freedom and prosperity. State Department budgets have also included resources to:

- increase diplomatic staffing on the front lines of the global fight, including additional security professionals;
- extend an on-going program of security upgrades to protect diplomatic facilities and personnel in the face of terrorism; and
- accelerate a capital construction program to replace facilities at high risk with secure new embassy compounds.

Budget: Cut Current Spending

Question. There are reports that the White House is asking all agencies, other than Defense and Homeland Security, to prepare options for cutting current spending by 5%, with the intention of holding non-defense resources to 1% growth in FY 2006. Do you believe that the State Department should be included in such national security exemptions in a way similar to the Defense Department, Intelligence, and Homeland Security?

Answer. The President, OMB, and Congress recognize the vital role that the State Department and International Affairs funding play in national security.

Discretionary belt-tightening has constrained State operations and Foreign Operations funding levels.

With supplemental funding, the Department has been able to meet U.S. foreign policy priorities.

Budget: Budget Pressures

Question. The combination of previously announced spending commitments for international HIV/AIDS, the Millennium Challenge Corporation and the Middle East Peace Initiative is going to put tremendous pressure on the foreign affairs budget for '06. Are you working now to make certain that these program increases can be accommodated without cutting into other important areas of a very tight budget? To what extent is the administration going to request funding for 150 account activities in the supplemental?

Answer. The President's Fiscal Year '06 budget is still under review. If confirmed, I look forward to briefing the committee and ensuring our important needs in the 150 account activities are met.

We do have significant foreign and State operations funding shortfalls in FY 2005 that can only be met through supplemental appropriations. Once the administration has finalized the supplemental requirements, and if confirmed, I would be pleased to brief the committee on those needs.

Defense Science Board Study on Transition to and From Hostilities

Question. In August 2004 the DSB concluded a study on "Transition to and from Hostilities." The study included an analysis of the very substantial costs and manpower requirements for both the Department of State and Defense that are needed to achieve our objectives in stabilization and reconstruction operations, like our current activities in Iraq and Afghanistan. The intent was to provide guidelines for matching our national foreign policy objectives with the resources that need to be devoted to accomplishing those objectives. What is your assessment of the gap between the Department of State's current and near-term projected manpower and resources and the requirements revealed by the DSB study, and if you are confirmed what will you do to bridge that gap?

Answer. The DSB study has provided a valuable analysis of the costs we already spend on reconstruction and stabilization and the level of resources required not only to provide assistance, but to manage that response, to prepare for it, to staff it, and to maintain it. It highlighted the need for additional resources for civilian agencies in both people and money.

We agree with the basic thrust of the resource recommendations in the DSB study: resources are needed both to lead, manage and implement stabilization and reconstruction operations, and to support programmatic activities that promote security and rule of law and create the conditions for democracy and market economics to take root. Some important resource requirements are not highlighted in the DSB study, particularly the cost of deploying civilian teams, when needed together with the military, to multiple locations in a country. We will review all these resource needs in State and other agencies in order to institutionalize a strong stabilization and reconstruction capability within the U.S. Government.

Question. That same DSB study proposed a management regime aimed at even better planning, including preparation far in advance, for stabilization and reconstruction operations. The approach would orchestrate, not just coordinate, activities in the Department of State, the Department of Defense, the National Security Council, and other organs of government, taking into account not only legislated authorities but also realistic organizational capabilities. Do you agree with the proposed regime; if not, can you describe the specifics of a better alternative to accomplish comparable goals; and if you are confirmed what particular steps will you take to ensure even better planning for stabilization and reconstruction?

Answer. We appreciate the DSB report's analysis and agree with the need for a more coordinated approach between all agencies. The administration has taken the decision to vest the responsibility for this coordination in the Department of State, which has the lead in foreign policy and which must manage our long-term interests overseas. Within the State Department, we have built an interagency team with USAID, CIA, and the Departments of Defense, Treasury, Justice and others to coordinate stabilization and reconstruction activities for countries in transition from conflict and civil strife, to plan for potential conflicts, and to avert or mitigate conflict when we can. This interagency team for planning and for response management led by the Department of State will achieve the objectives of the study, provided that sufficient resources are made available to State and other agencies implementing programs overseas.

Office of the Coordinator For Reconstruction and Stabilization

Question. How do you expect the Office of Reconstruction and Stabilization to develop in the future? Can you describe a hypothetical situation where you and the President might turn to it and what you would expect from it, both in terms of planning and operations?

Answer. Creating a strong USG stabilization and reconstruction capacity is an administration national security priority. We appreciate the leadership Senators Lugar, Biden and Hagel and others in the Congress have shown on this issue.

S/CRS will not take over activities of partner organizations within the government, but will be value-added by: preparing contingency plans; building USG capabilities for stabilization and reconstruction; developing systems to pre-position people and money; conducting outreach to international partners and NGO's aimed at strengthening global capacity; applying lessons learned and managing and integrating the USG response.

If it is determined that the technical capacities of S/CRS would be a value added in a certain situation, S/CRS will be asked to organize and manage, in conjunction with the relevant regional bureau at the State Department, a multi-agency response to a failing, failed or post-conflict state.

S/CRS would manage a response effort by—establishing an interagency task force proposing strategies to senior leadership working with international community to coordinate efforts mobilizing required personnel deploying personnel, equipment and other resources designing programs to respond to identified needs managing response efforts to meet identified goals.

Our efforts will be focused on early response when assistance can have the most impact on the long-term prospects. Longer term management of these responses will be devolved to normal structures when long-term plans and budgets are in place.

Office of the Coordinator For Reconstruction and Stabilization: Budget

Question. The Office of Reconstruction and Stabilization is small and has a very modest budget. Will the administration be requesting substantial funding for the Office in the upcoming supplemental or in the '06 budget?

Answer. The office currently has 35 staff from: State, USAID, Defense, Treasury and CIA. The administration will recommend the resources necessary for the office to start meeting its mission.

We will need resources for management—from CJS appropriations—and for foreign assistance programs from Foreign Operations appropriations.

Experience has shown that we must have the capacity to manage 2–3 stabilization and reconstruction operations concurrently. That means staff in Washington and the field to manage and deliver quality programs.

In advance of a specific crisis, the Department will need to have certain programs and funds already in place and have money available to deploy teams quickly and pay for security and logistics, while additional longer term funds are identified and sought.

Obviously we are in a difficult budget climate, but the administration is committed to working with Congress to support this stabilization and reconstruction initiative as a national security priority.

Office of the Coordinator for Reconstruction And Stabilization: Legislation

Question. The committee's bill, S.2127, called for a new 250-person nation-building corps of civilians who can move quickly into a still hostile environment to provide public information, deliver emergency medical care, train police, rebuild schools, roads and airports, and reconstitute political processes. Do you share our view of the necessity for such an active duty civilian corps?

Answer. We need the ability to send the right people into the field as well as to manage programs in Washington. To deploy people quickly and lead the coordination process in Washington, we need to have in place core staff who can plan, exercise, and train together. This will require additional staff and resources because the gaps we must fill cannot be met by rearranging existing personnel.

The model we have developed incorporates the core concepts you laid out in your bill for a civilian response corps. And, if confirmed, I want to examine the concept further. And, if confirmed, I look forward to discussing it with you. We need additional diplomatic personnel to underpin operations overseas and we need a corps of technical experts to design, deliver, and manage programs.

The complete solution requires a mixture of on-call rosters, permanent staff and pre-positioned contracts in order to assemble the teams needed in varying situations.

As we analyze the capacity we have and the gaps, we will work with the Congress to put in place the necessary authorities, mechanisms, and resources.

Law of the Sea: Ratification Efforts

Question. The most recent Treaty Priority List submitted by the administration to the committee listed the Law of the Sea Convention as a treaty "for which there is an urgent need for Senate approval." How can we work together to make certain that the treaty is ratified on an urgent basis?

Answer. The administration supports early Senate action on the Convention.

The administration urges the Senate Foreign Relations Committee to again favorably report out the Convention and Implementing Agreement, with the Resolution of Advice and Consent to Ratification as reported by the committee last March.

The administration will work with the Senate leadership to bring the Convention and Implementing Agreement to a floor vote in the 109th Congress.

Law of the Sea: Benefits for National Security

Question. I was pleased to see in the U.S. Ocean Action Plan that he submitted to the Congress on December 17, the President states that “as a matter of national security, economic self-interest, and international leadership, the administration is strongly committed to U.S. accession to the UN Convention on the Law of the Sea.” Can you cite specific benefits that accession will have for U.S. national security?

Answer. Joining the Convention will advance the interests of the U.S. military.

As the world’s leading maritime power, the United States benefits more than any other nation from the navigation provisions of the Convention.

Those provisions, which establish international consensus on the extent of jurisdiction that States may exercise off their coasts, preserve and elaborate the rights of the U.S. military to use the world’s oceans to meet national security requirements.

They achieve this, among other things:

- by stabilizing the outer limit of the territorial sea at 12 nautical miles;
- by setting forth the navigation regime of innocent passage for all ships in the territorial sea, through an exhaustive and objective list of activities that are inconsistent with innocent passage—an improvement over the subjective language in the 1958 Convention on the Territorial Sea and Contiguous Zone;
- by protecting the right of passage for all ships and aircraft, through, under, and over straits used for international navigation, as well as archipelagoes;
- by reaffirming the traditional freedoms of navigation and overflight in the exclusive economic zone and the high seas beyond; and
- by providing for the laying and maintenance of submarine cables and pipelines.

U.S. Armed Forces rely on these navigation and overflight rights daily, and their protection is of paramount importance to U.S. national security.

Becoming a party to the Convention would strengthen our ability to deflect potential proposals that would be inconsistent with U.S. national security interests, including those affecting freedom of navigation.

Law of the Sea: Economic Benefits

Question. Support for U.S. accession to the Law of the Sea Convention has been expressed by U.S. companies and industry groups whose businesses depend on the oceans. These include the American Petroleum Institute, the U.S. Oil and Gas Association, the Chamber of Shipping of America, the U.S. Tuna Foundation, the American Chemistry Council, the National Oceans Industries Association, and the U.S. Council for International Business. Do you agree with these U.S. companies that acceding to the Law of the Sea Convention will advance U.S. economic interests and benefit American businesses?

Answer. Yes. The United States, as the country with the longest coastline and the largest exclusive economic zone, will gain economic and resource benefits from the Convention:

- The Convention accords the coastal State sovereign rights over non-living resources, including oil and gas, found in the seabed and subsoil of its continental shelf.

The Convention improves on the 1958 Continental Shelf Convention, to which the United States is a party, in several ways:

- by replacing the “exploitability” standard with an automatic continental shelf out to 200 nautical miles, regardless of geology;
- by allowing for extension of the shelf beyond 200 miles if it meets certain geological criteria; and
- by establishing an institution that can promote the legal certainty sought by U.S. companies concerning the outer limits of the continental shelf.

Concerning mineral resources beyond national jurisdiction, i.e., not subject to the sovereignty of the United States or any other country, the 1994 Agreement meets our goal of guaranteed access by U.S. industry on the basis of reasonable terms and conditions.

Joining the Convention would facilitate deep seabed mining activities of U.S. companies, which require legal certainty to carry out such activities in areas beyond U.S. jurisdiction.

The Convention also accords the coastal State sovereign rights over living marine resources, including fisheries, in its exclusive economic zone, i.e., out to 200 nautical miles from shore.

The Convention protects the freedom to lay submarine cables and pipelines, whether military, commercial, or research.

In addition, the Convention establishes a legal framework for the protection and preservation of the marine environment from a variety of sources, including pollution from vessels, seabed activities, and ocean dumping.

The provisions effectively balance the interests of States in protecting the environment and natural resources with their interests in freedom of navigation and communication.

With the majority of Americans living in coastal areas, and U.S. coastal areas and EEZ generating vital economic activities, the United States has a strong interest in these aspects of the Convention.

Law of the Sea: Military Operations

Question. It is my understanding that it has been U.S. policy since President Reagan's 1983 Statement of Ocean Policy that the United States, including the U.S. military, will act in accordance with the Law of the Sea Convention's provisions relating to the traditional uses of the oceans. Would acceding to the Law of the Sea Convention require the United States military to make any changes in its existing policies or procedures with respect to the use of the oceans to conduct military operations?

Answer. No.

As the Chief of Naval Operations, Admiral Vern Clark, testified before the Senate Armed Services Committee on April 8, 2004, "I am convinced that joining the Law of the Sea Convention will have no adverse effect on our operations . . . but rather, will support and enhance ongoing U.S. military operations, including continued prosecution of the global war on terrorism."

The Vice Chief of Naval Operations, Admiral Mike Mullen, testified before the House International Relations Committee on May 12, 2004, that the Navy "currently operate[s]—willingly because it is our national security interests—within the provisions of the Law of the Sea Convention in every area related to navigation. We would never recommend an international commitment that would require us to get a permission slip—from anyone—to conduct our operations."

Admiral Mullen concluded his oral statement by emphasizing, "Simply, the Convention does not require a permission slip or prohibit these activities; we would continue operating our military forces as we do today."

Law of the Sea: Weapons Of Mass Destruction

Question. Some commentators have asserted that acceding to the Law of the Sea Convention would prevent the United States from taking action necessary to stop the transportation of weapons of mass destruction across the oceans. I note, however, that State Department Legal Adviser William Taft testified before the House International Relations Committee that "the Convention will not affect applicable maritime law or policy regarding interdiction of weapons of mass destruction, their means of delivery and related materials." Do you believe that acceding to the Law of the Sea Convention will in any way diminish the ability of the United States to take necessary action to prevent the transport of weapons of mass destruction?

Answer. No.

The Convention's navigation provisions derive from the 1958 law of the sea conventions, to which the United States is a party, and also reflect customary international law accepted by the United States.

As such, the Convention will not affect applicable maritime law or policy regarding interdiction of weapons of mass destruction.

Like the 1958 conventions, the LOS Convention recognizes numerous legal bases for taking enforcement action against vessels and aircraft suspected of engaging in proliferation of weapons of mass destruction:

- exclusive port and coastal State jurisdiction in internal waters and national airspace;
- coastal State jurisdiction in the territorial sea and contiguous zone;
- exclusive flag State jurisdiction over vessels on the high seas (which the flag State may, either by general agreement in advance or approval in response to a specific request, waive in favor of other States); and
- universal jurisdiction over stateless vessels.

Nothing in the Convention impairs the inherent right of individual or collective self-defense (a point which is reaffirmed in the Resolution of Advice and Consent proposed in the last Congress).

Law of the Sea: Proliferation Security Initiative

Question. Some commentators have asserted that acceding to the Law of the Sea Convention would prevent or inhibit the United States from implementing the Proliferation Security Initiative. I note, however, that State Department Legal Adviser William Taft testified before our committee that the PSI is consistent with the Law of the Sea Convention, and that the obligations under the Convention do not present any difficulties for successfully carrying out this important initiative. Chief of Naval Operations Admiral Vern Clark gave similar testimony before the Senate Armed Services Committee. I also note that all of the other countries that are partners with the United States in PSI are themselves parties to the Law of the Sea Convention. In your view, will acceding to the Convention inhibit the United States and its partners from successfully pursuing the PSI?

Answer. No.

PSI requires participating countries to act consistent with national legal authorities and “relevant international law and frameworks,” which includes the law reflected in the Law of the Sea Convention.

The Convention’s navigation provisions derive from the 1958 law of the sea conventions, to which the United States is a party, and also reflect customary international law accepted by the United States.

As such, the Convention will not affect applicable maritime law or policy regarding interdiction of weapons of mass destruction, their means of delivery, and related materials.

Like the 1958 conventions, the LOS Convention recognizes numerous legal bases for taking enforcement action against vessels and aircraft suspected of engaging in proliferation of weapons of mass destruction:

- exclusive port and coastal State jurisdiction in internal waters and national airspace;
- coastal State jurisdiction in the territorial sea and contiguous zone;
- exclusive flag State jurisdiction over vessels on the high seas (which the flag State may, either by general agreement in advance or approval in response to a specific request, waive in favor of other States); and
- universal jurisdiction over stateless vessels.

Nothing in the Convention impairs the inherent right of individual or collective self-defense (a point which is reaffirmed in the Resolution of Advice and Consent proposed in the last Congress).

Law of the Sea: Role of the UN

Question. Some commentators have asserted that the Law of the Sea Convention gives the United Nations the power to regulate the use of the oceans and that U.S. accession to the Convention would allow the United Nations to veto uses of the ocean by the United States, including by the U.S. military. It is my understanding that, under the Convention, the United Nations has no decision-making role with respect to any uses of the oceans. Please explain what role, if any, the United Nations would have in regulating uses of the oceans by the United States if the United States were to accede to the Law of the Sea Convention.

Answer. The United Nations has no decision-making role under the Convention in regulating uses of the oceans by any State Party to the Convention.

Commentators who have made this assertion have argued that the International Seabed Authority (ISA) somehow has regulatory power over all activities in the oceans.

The authority of the ISA is limited to administering the exploration and exploitation of minerals in areas of deep seabed beyond national jurisdiction, generally more than 200 miles from shore. The ISA has no other role and has no general regulatory authority over the uses of the oceans, including freedom of navigation and oversight.

Law of the Sea: Taxation by International Seabed Authority

Question. Some commentators have asserted that acceding to the Law of the Sea Convention would involve giving the International Seabed Authority the power to impose taxes on U.S. citizens. State Department Legal Adviser William Taft has tes-

tified before Congress that the International Seabed Authority has no ability or authority to levy taxes. In your view, is there any basis for concern that U.S. accession to the Law of the Sea Convention will result in U.S. citizens being subject to taxation by the International Seabed Authority?

Answer. No. The Convention does not provide for or authorize taxation of individuals or corporations.

Law of the Sea: Technology Transfer

Question. Some commentators have asserted that the United States would be required to transfer sensitive technology, including technology with military applications, to developing countries if it acceded to the Law of the Sea Convention. It is my understanding, however, that provisions of the Law of the Sea Convention containing mandatory technology transfer requirements were eliminated by the 1994 Agreement addressing the Convention's deep seabed mining regime. Do you believe there is any reason for concern that acceding to the Convention would require the United States to transfer any technology to developing countries?

Answer. No, technology transfers are not required by the Convention.

Law of the Sea: U.S. Sovereignty over Ocean Resources

Question. Some commentators have asserted that acceding to the Law of the Sea Convention will involve ceding to the International Seabed Authority sovereignty currently enjoyed by the United States over ocean resources. It is my understanding, however, that the jurisdiction of the International Seabed Authority addresses only mining of minerals in areas of the deep seabed beyond the jurisdiction of any country, and that the United States has never asserted sovereignty over such areas. Do you believe that acceding to the Convention would involve any surrender of existing United States claims to sovereignty over ocean resources?

Answer. No, the United States has never claimed sovereignty over areas or resources of the deep seabed.

The Convention's provisions on the exclusive economic zone and continental shelf preserve and expand U.S. sovereign rights over the living and non-living ocean resources located within, and with regard to the continental shelf beyond, 200 miles of our coastline.

Law of the Sea: Effect of 1994 Implementing Agreement

Question. Some commentators have asserted that there is uncertainty as to the legal status of the 1994 Agreement Relating to the Implementation of Part XI of the Law of the Sea Convention, which addresses the Convention's deep seabed mining regime. I have received a letter from eight former Legal Advisers to the Department of State from both Republican and Democratic administrations stating that the 1994 Agreement "has binding legal effect in its modification of the LOS Convention." Do you believe there is any basis for questioning the legal effect of the 1994 Agreement?

Answer. No. My understanding is that the notion that the 1994 Agreement has no legal effect is incorrect.

Defense Science Board Recommendations

Question. The Pentagon's Defense Science Board (DSB) recently proposed establishing at the NSC a new deputy post to coordinate strategic communications and public diplomacy throughout the government. Is this a good idea?

Answer. The DSB and other studies of public diplomacy and strategic communications over the past several years offer many good ideas for strengthening public diplomacy and strategic communication. If confirmed, strengthening public diplomacy will be one of my priorities as Secretary of State. I do not want to comment at this time on what structures would best serve that objective but will consider a full range of options, and will be delighted to do so in cooperation with members of this committee. The State Department must lead the Public Diplomacy effort, particularly in the field through our embassies and missions abroad.

Public Diplomacy: Budget Increases

Question. ECA has finally seen its budget increase after suffering significant cuts in the 1990s. There has been a major shift in funding to programs aimed at the Middle East and Muslim world, at the expense of programs in Europe, the former Soviet Union, and other parts of the world. Do you believe that enough is being done

to focus attention on the growing degree and shrillness of anti-Americanism in Europe, Latin America, and Asia?

Answer. Combating terrorism and the apparent deterioration of the U.S. image abroad are global challenges that require a strategic approach to the use of exchange programs in every region of the world.

Our political and economic adversaries use misperceptions about our goals, disagreements about our policies and a general sense of anti-Americanism to move their specific agendas forward around the world. The Department is committed to balancing the needs of all our regions to address U.S. foreign policy goals.

We know that exchanges present the best face of America, they work to convey to publics that we care about the future of their young people and education, they convey that we have common cause in basic shared values, and they are "moving the needle" with individuals. Results consolidated from a number of program evaluations in 2003 show that 88% of exchange participants gained new knowledge/skills on key issues, and 89% of exchange participants gained a better understanding or more positive view of the United States.

Twenty-five percent of ECA's budget currently goes to exchanges in the countries covered by the Bureaus of Near Eastern and South Asian Affairs; new programs and increases in traditional exchanges are effectively addressing these critical areas. We have moved some resources from Eurasia to do so, but have maintained robust programs in Eurasia aimed at youth, from high school through undergraduate and graduate level students. In all other regions, we have been able to keep exchange programs at roughly the FY 03 level. In all regions, we are focusing on our most important audiences.

Resources for exchanges, coupled with the effective programming provided by ECA, offer a strong antidote to anti-Americanism. The Department looks forward to working further with Congress to identify the appropriate level of resources for exchanges to meet the challenges we face in every part of the world.

Public Diplomacy: Guidance to U.S. Broadcasting

Question. How do you view the State Department's role in providing strategic guidance and greater coherence to U.S. broadcasting efforts? Should the Department play a stronger role? Does the current bureaucratic structure serve us well or could it be improved? For example, should the VOA be integrated into State?

Answer. The State Department and BBG must effectively coordinate U.S. international broadcasting efforts. As you know, the Secretary of State is a member of the Board of Governors, and his/her designee actively participates in Board meetings and deliberations.

The BBG also coordinates regularly with the regional bureaus and with the Under Secretary for Public Diplomacy and Public Affairs. As part of its annual language service review process, the BBG regularly receives briefings from the Department of State on matters of strategic guidance as a way to ensure that high priority languages are identified. The Department provides guidance and clears on VOA editorials on a daily basis, and when issues of difference arise, the BBG and Department work together to resolve them.

I believe that these arrangements serve the State Department and the BBG very effectively.

NED

Question. In the 9/11 Commission legislation that Congress recently passed, my initiative to establish a free press institute at the NED was included. NED officials and other stakeholders in the media field have moved quickly to begin to make it a reality. They will be making a proposal to the State Department for \$1 million for institute staff, the development of a strategic plan, and organizational meetings. Would you support this grant and expedite its approval?

Answer. The State Department supports the work of the NED and will support the initiative to develop a free press institute. We would also support including the \$1 million for free press staff as part of the grant for NED core funding that passes through the Bureau of Democracy, Human Rights and Labor. We look forward to consultations on the development of a strategic plan and discussion of organizational efforts.

Embassy Security

Question. Some agencies who will be required to contribute under the Capital Security-Cost Sharing Program have maintained that their financial participation is unwarranted or excessive. The Department of Defense has been particularly reluc-

tant to participate. Are all the agencies now on board with this plan, including Defense?

Answer. The Consolidated Appropriations Act, 2005 (P.L. 108-447) makes clear that all Departments and agencies are to contribute their shares under the Capital Security Cost-Sharing Program “notwithstanding any other provision of law,” “without offsets,” and “in advance.” The Department is directed not to build space for employees of any agency that fails to pay its full amount of funding required by cost-sharing.

OMB had already directed each agency to include its FY05 cost-sharing contribution in its FY05 budget. All agencies have been cooperating with the Department in determining their respective overseas staffing levels, and we anticipate that they will transfer the funds upon request. So far we have no indication that any agency will refuse to comply.

Danger Pay

Question. The committee has voted twice in favor of increasing danger pay for State Department employees who serve in hostile environments. Why has the administration not requested this benefit as part of its overall submission to the Congress?

Answer. I appreciate your support for creating further incentives for employees to serve in hostile environments. The administration did not request the danger pay increase as part of its overall submission for FY 2004 or FY 2005 for budgetary reasons.

Any future administration initiative to increase danger pay would need to consider the additional funding required to finance the increase within overall budget constraints.

Submission of Treaties

Question. The administration did not submit to the committee a Treaty Priority List during the 108th Congress. Does the administration intend to submit a Treaty Priority List during the 109th Congress? If so, when does the administration expect to submit the list?

Answer. The administration intends to submit to the committee a Treaty Priority List during the 109th Congress. The administration recognizes that having such a list can assist the committee in organizing its work. We will endeavor to submit a list as soon as possible after receiving the customary request from the committee.

NED and Free Press

Question. The President last year called for a doubling of the NED budget. We were successful in increasing the budget significantly in the omnibus legislation. I was able to have included in the intelligence reform bill language that embraced the concept of S. 2096. Do you agree that a free press institute funded through NED would be one good way of consolidating U.S. expertise, allowing for private contributions, and building a coordinated capacity to support free press in countries building democratic institutions?

Answer. The Department of State recognizes and supports the importance of and the role of independent media in the development of open democracies. The establishment of a free press institute funded through NED would be one way to promote this objective and would add a fifth “core” partner institute to complement NED’s work in other areas to promote democracy. We support the initiative to coordinate USG and private efforts to develop and encourage free press and believe that a free press institute could help mobilize private sector resources to build free press activities and support democratic institution building. We believe that USG efforts to promote free and independent media should also be coordinated with the important similar work being done by Internews, IREX and other nongovernmental organizations that support and share these universal human rights values. We would urge the funding of the free press institute to be treated as separate from existing media training and independent media support activities, and kept clearly distinct from public diplomacy initiatives.

Iraq Issues

Question. Reports indicate General Casey and Ambassador Negroponte have established a close working relationship. There is a gap, however, between the military and civilian efforts in Iraq. The Department of State, which is responsible for executing U.S. assistance to Iraq, is dependent on the Department of Defense, which

owns and controls transportation assets, controls the airspace and roads and is helping the Iraqis establish security. The U.S. military, for its part, does not have the statutory responsibility, mechanisms or resources to operate jointly with the State Department to provide reconstruction assistance. How can you ensure that there is an integrated, joint civilian-military operational capability for stabilization and reconstruction in Iraq?

Answer. All agencies of the United States government recognize the importance and urgency of reconstructing and stabilizing Iraq. It is a prime mission for both our DoD and Department of State components in Iraq, and they are working together closely. We have developed a strong interagency process—at all levels—both in Washington and Iraq to ensure civilian-military coordination and cooperation.

The overall policy and operating relationship between the State and Defense Departments is set out in a series of documents, including NSPD 36, “Operation Plan (OPLAN) Sovereign Iraq,” and three Memoranda of Understanding on support and security. These documents are the product of the joint State-DOD Interagency Transition Planning Team that closed down CPA and stood up Mission Baghdad. In practice, they are working well.

Embassy Baghdad (and DOD) participates through video teleconference in regular and frequent interagency meetings on Iraq—meetings of the National Security Council, Principals and Deputies Committees, and the Iraq Policy Operations Group. General Casey participates in meetings of the National Security Council.

On the ground in Iraq our reconstruction efforts are coordinated by a civilian-military interagency organization, the Iraq Reconstruction Management Office (IRMO), headed by Ambassador William Taylor. IRMO coordinates closely with the Project and Contracting Office (PCO), a Pentagon-based organization responsible for implementing projects from the \$18.4 billion Iraq Relief and Reconstruction Fund that Congress approved in 2003.

The Multi-National Security Transition Command-Iraq (MNSTC-I), led by LTG David Petraeus, is responsible for the development of the Iraqi Armed Forces and Iraqi Security Forces. MNSTC-I works closely with MNF-I, and Embassy, and IRMO.

Rather than seeing a “gap” between civilian and military efforts, I see that at every level they are intertwined and integrated:

- State Department, USAID and PCO representatives at the Regional Embassy Offices in Mosul, Kirkuk, Hilla and Basra work closely with the military commands in those regions. Our State Embedded Teams are located within military commands in Tikrit, Ba’quba, Ramadi/Falluja, Najaf and Karbala, providing close State-military coordination.
- MNF-I officers are embedded in the offices of IRMO’s senior ministry consultants. MNF-I officers participate in the Mission’s Elections Security Cell.
- The military has changed its security mission in Iraq to ensure the protection of infrastructure under insurgent attack, and to provide security for the assistance materials IRMO imports for the reconstruction of the country.
- Military commanders have used their Commander’s Emergency Response Program (CERP) funds to fund reconstruction projects.
- 800 Civil Affairs personnel work on the ground, in every major American maneuver command, in coordination with civilian reconstruction officials. MNF-I’s Civil Affairs troops are supporting IRMO in Falluja resettlement and reconstruction.
- USAID and 1st Cavalry Division have partnered to provide services and employ youth in Baghdad; expanded to include PCO, this has been a model for reconstruction assistance in strategic cities such as Najaf, Samarra, Tal Afar and Falluja.

Carrying out reconstruction and securing the country are two parts of a single effort, and that is the way our people on the ground in Iraq see it—civilian and military alike. They understand that cooperating in such a difficult and dangerous environment is essential. They are doing a superb job.

Question. When USAID advertised openings for 20 personnel in their Baghdad office, there were no applicants. They have managed through aggressive recruitment by Mr. Natsios to fill these openings, but mid-level experienced FSO’s are still needed. How will you address the personnel shortfalls created by the demands of Iraq and Afghanistan? Do we need to offer tax-free war zone incentives for State Department personnel like we have done for the military? The committee has supported

increasing danger pay and would like to see an administration request to that effect. What other incentives are needed?

Answer. USAID has done a tremendous job recruiting for Baghdad and Kabul, already filling all positions through October 2005. State, of course, has many more positions than USAID to fill at both posts. Despite the difficulties and dangers of service, Department of State employees have also been responsive for service at these sites, as well as in the Provincial Reconstruction Teams in Afghanistan and the remotely located positions throughout Iraq. This includes Civil Service as well as Foreign Service volunteers.

USAID has noted that issues like security and family concerns are more important determinative factors for recruitment than financial compensation, and the Department of State will continue to address these issues for all agencies under Chief of Mission authority.

We are exploring whether any additional financial incentives are needed, and would expect to return to Congress if we determine such incentives are necessary.

Question. This committee has given great attention to the pace of reconstruction assistance, which has accelerated somewhat, but still remains slow. Effective reconstruction projects can make a great deal of difference in Iraq, yet U.S. assistance continues to be plagued by lack of coordination and duplication of efforts between the military and civilian organizations, bureaucratic processes, and above all, by a lack of security in Iraq. You have seen this from the NSC vantage point. Do you consider the pace of reconstruction too slow? Are we making progress? Do you plan another review and overhaul? What will you do differently?

Answer. The pace of reconstruction is not moving as smoothly as we may have hoped; however, we are making progress, even in the face of an ongoing insurgency. Clearly, security remains the most serious issue affecting the pace of our reconstruction efforts. Despite the challenging environment, the U.S. continues to increase our reconstruction spending, and we have obligated nearly \$13 billion of the over \$20.9 billion that Congress has appropriated for Iraq reconstruction. Of this total, we have disbursed over \$4.3 billion—\$1.9 billion from the FY03 Supplemental (IRRF I) and \$2.4 billion from the FY04 Supplemental (IRRF II) as of January 5th.

All agencies of the United States government recognize the importance and urgency of reconstruction and stabilizing Iraq. It is a primary goal of each civilian and military organization working in Iraq, and they are working together closely.

We continue to develop a strong interagency process—at all levels—both in Washington and Iraq to ensure civilian-military coordination and cooperation and to review and fine-tune our effort. The Iraq Reconstruction Management Office (IRMO) located within our Embassy in Baghdad is working hard to coordinate reconstruction efforts among the implementing agencies “on the ground” in Iraq.

Rather than seeing a “gap” between civilian and military efforts, I see that at every level they are becoming more intertwined and integrated. For example: since early 2004, USAID and the 1st Cavalry Division have engaged in a partnership to provide essential services in Baghdad while generating employment for Iraqi youth. This partnership was expanded to include the PCO, and ultimately became the model for rapid reconstruction assistance in strategic cities such as Najaf, Samara, Tel Afar and Falluja.

Our reconstruction efforts have made significant progress in supporting our objectives in Iraq and in improving the lives of the Iraqi people.

Currently, over 133,000 Iraqis are employed in USG administered programs.

Despite recent and serious insurgent attacks on the oil infrastructure, the weekly average output during Dec. 27–Jan. 2 stood at 2.1 million barrels per day with exports earning Iraq more than \$1.4 billion in hard currency each month.

We have added over 1800 MW generating capacity to the Iraqi power grid since the transition to Iraqi sovereignty and we will add more. Power is also more equitably distributed throughout the country than under Saddam, when electric power was diverted to Baghdad.

Iraq is experiencing power shortages now due to sabotage, fuel distribution problems, unscheduled outages and seasonal spike in demand. We are working with the Ministry of Electricity to increase available hours of power in the shortest possible time.

We continue to seek the most effective means of delivering assistance to Iraq. Last fall, Ambassador Negroponte, in close coordination with the Iraqi Interim Government, General Casey of MNF-I and LTG Petraeus of MNSTC-I, undertook a strategic review of the spending plan and suggested the reallocation of \$3.46 billion in reconstruction assistance.

In an effort to disburse funds more quickly, PCO is proceeding with a pilot program to contract directly with the IIG Ministries, allowing them to implement and manage infrastructure projects which meet their most pressing priorities.

We are also using Iraqi firms to the greatest extent possible to put an "Iraqi face" on our reconstruction efforts.

As part of the ongoing assessment of spending priorities, our Embassy has recently identified an additional \$457 million to reallocate to high-impact, rapid-action projects designed to stabilize and address the near-term needs of the electrical sector as well as to deliver quick-delivery essential services programs to the populations of 4 cities (Fallujah, Najaf, Samarra and Sadr City) living in post-battle environments.

Question. The elections scheduled for January 30, 2005 are the first in a multi-year process. Will the Iraqi Election Commission (MCI) [presumably referring to the Independent Electoral Commission of Iraq (IECI)] have the credibility to monitor elections? Will the elections be judged fair if the Sunnis boycott or if we have to bypass three governorates? How are plans for the next two elections coming? Should we expect the security situation to improve after Iraqis vote?

Answer. The elections that will take place on January 30 are an important next step for Iraqis seeking to put their dark past behind them. Over the past several months, the IECI has repeatedly demonstrated its independence and its dedication to ensuring that Iraq's elections are substantially free and fair. The IECI is enlisting thousands of Iraqi election workers. Thousands more will serve as domestic election monitors and are being trained by the National Democratic Institute (NDI). A conference in Ottawa in December organized the International Mission for Iraq Elections (IMIE), an international effort that we support.

PM Allawi, President al Yawar, the IECI, and the Iraqi Interim Government (IIG) have all called for full participation—by all Iraqi political, ethnic, and religious groups—in the January 30 elections. We support the Iraqi call for full participation and believe all Iraqis have a role to play in the future of Iraq, including Iraqi Sunnis.

The IECI, Iraqi Ministry of the Interior, and the Multinational Force-Iraq are working closely together to ensure security for the elections in all 18 governorates. The IECI is also considering ways to ensure that voters in areas still plagued by security issues are able to participate in the election, even if they have not yet registered to vote.

The IECI is responsible for carrying out not only the January elections, but also the constitutional referendum scheduled for October and the elections for a constitutionally based government in December. We welcome Secretary General Annan's statement that the UN stands ready, if asked, to help Iraqis as they draw up a new constitution and conduct a national referendum and further elections. The U.S. Government will provide support as requested by the Transitional Government of Iraq.

The January elections will mark a watershed moment in Iraq's history, which should help the Iraqi Transitional Government battle those who seek to derail Iraq's progress to full democracy. But we should not underestimate the commitment of these forces to deny Iraqis a stable, democratic, and prosperous future. As election day approaches, these elements will probably step up their attacks out of desperation that Iraq's political transition is succeeding.

Afghanistan

Question. A Congressional Notification arrived in December outlining a new Afghanistan counter-narcotics program costing \$776.5 million in 2005. Given the exponential growth of poppy cultivation and drug production in Afghanistan in the past two years this amount may be justified, however, the entire Afghan appropriation for 2005 is only \$980 million. Does this put other reconstruction in Afghanistan in jeopardy? How much funding for Afghanistan will be requested in the upcoming supplemental? What is the expected budget request for FY 2006?

Answer. The new Afghanistan counter-narcotics program does not put in jeopardy other reconstruction in Afghanistan, provided that supplemental funding is received to replenish the reprogrammed accounts in full prior to beginning of the third quarter. In preparing the reprogramming request every effort was made to minimize any delay or disruption in existing programs.

The President has not yet decided on the timing or content for a Supplemental. Funds will be requested to continue the Afghanistan counter-narcotics program in FY 2006. However, the levels have not yet been finalized.

Question. The Congressional Notification indicates that \$312.5 million is to be immediately reprogrammed from other critical accounts identified for Afghanistan. What programs will be affected by the reprogramming? Will these be replenished in the supplemental?

Answer. In preparing the reprogramming request every effort was made to avoid any delay or disruption to existing programs.

All reprogrammed funds would be replenished with the exception of the INCLE “Prior year De-obligated Funds” of \$3,000,000.

Question. Why is 40 percent of the counter-narcotics budget being slated for eradication of only 10 percent of the crop, while only 15 percent is being budgeted for alternative livelihoods? Should more resources be spent to put courts, prisons, laws and greater opportunities for alternative livelihoods in place to prepare for a sustainable Afghan-driven eradication program?

Answer. Eradication is one of the most crucial elements of a counter-narcotics program, and the objectives of the other elements will be undermined without an effective eradication program. Considerable up-front capital investment in equipment and infrastructure to support eradication is needed. This constitutes a large share of the initial counter-narcotics spending. Farmers must also be given alternative livelihoods opportunities if they are to stop planting poppies. We are already at work providing farmers with real options and have reprogrammed \$11 million from FY2004 funds to provide economic incentives for farmers to plant licit crops.

Most countries—the United Kingdom and the U.S. being the exceptions—decline to contribute to eradication programs for a variety of reasons. The eradication program is therefore a key U.S. value-added contribution to the overall effort.

The proposed Afghanistan counter-narcotics initiative takes into account the willingness of other donors to contribute to law enforcement and criminal justice system development, alternative development, public information, and demand reduction programs. The counter-narcotics initiative will be coordinated with existing USG programs that provide support for the justice sector in Afghanistan, with the objective of a stable, peaceful Afghanistan with a legitimate central government respecting the rule of law.

Question. There are consistent concerns that the funds identified for Afghanistan are not reaching the ground. What proportion of each dollar is going toward overhead? How can we improve the impact of every dollar and the timeliness of assistance? Is the head of the Afghan Inter-Agency Operations Group sufficiently authorized to ensure coordinated and efficient obligation of funds?

Answer. From FY 2001–2004, the U.S. provided over \$4.5 billion for Afghanistan’s reconstruction. The size and diversity of our ambitious program precludes a simple answer to the proportional amount allocated towards overhead. Overhead costs vary by sector and project, and would have to be addressed on a case-by-case basis.

We believe the current inter-agency organizational model is sufficient to adequately monitor and track the impact of our spending and the timeliness of our assistance program to Afghanistan. Through the near-daily meetings of the Afghanistan Inter-agency Operation Group (AIOG), there continues to be close inter-agency collaboration on all funding issues and the Coordinator and other policy makers are periodically provided charts that track all U.S. obligations and available resources. These charts are designed to highlight efficiencies and expose bureaucratic bottlenecks. Progress toward specific sectoral objectives is also carefully tracked on a month-to-month basis through our Afghanistan “metrics” document.

We believe the Coordinator for Afghanistan possesses sufficient authority to carry out the administration’s priorities in Afghanistan.

Iran Issues

Question. What should the U.S. do to encourage Iran to close its shared borders with Iraq? Who is coming across the border now? Are fighters sanctioned or supported by the Iranian government?

Answer. We have made clear to Iran that we will oppose actions that undermine Iraq’s stability. Senior officials of the Iraqi Interim Government have publicly voiced their concerns about Iranian interference in Iraq.

We urge the Iranian government to live up to its publicly stated policy of supporting the sovereignty, independence, territorial integrity, and national unity of Iraq, and its commitment to combat the flow of terrorists across the Iraqi-Iranian border as stated in the November 23, 2004 regional conference on Iraq held at Sharm el-Sheikh.

Iran should also heed the requirements of UN Security Council Resolution 1373 to deny safe haven to those who plan, support, or commit terrorist acts and to affirmatively take steps to prevent the commission of terrorist acts by providing early warning to other states by exchange of information.

Saudi Arabia Issues

Question. How can U.S. policy toward Saudi Arabia counter the growing anti-Americanism in some segments of the Saudi population and facilitate the Kingdom's progress toward political, economic, and educational reforms, without undermining our close security and economic cooperation with the government?

Answer. Our support for reform in Saudi Arabia is not incompatible with our close security and economic agenda with the Kingdom. In fact, we believe strongly that the Saudis must pursue reform as the best way to ensure that the shared security and economic interests of the US and the Kingdom of Saudi Arabia grow stronger.

We are addressing anti-Americanism in Saudi Arabia through two principal means. The first is our traditional public diplomacy effort, which includes Fulbright and carefully targeted International Visitors programs, other educational exchanges, and dissemination of U.S. views via placements in the local media and through USG-sponsored Arabic language media.

The Saudis themselves have a reform agenda that includes holding first-ever municipal elections in the spring of 2005; developing a new school curriculum aimed at promoting greater tolerance; and continuing Crown Prince Abdullah's groundbreaking series of national dialogues with religious leaders, intellectuals, young people and women on Saudi's most sensitive issues. The Saudis are also taking significant steps to advance economic reform, and are currently in the process of negotiating their accession to WTO.

We support these initial efforts and are encouraging the Saudis to take additional steps, via our bilateral Middle East Partnership Initiative (MEPI) and the G-8 sponsored Broader Middle East and North Africa Initiative (BMENA), to provide a better future for their citizens, and to give all those citizens a greater voice in the decisions affecting their lives.

We share the view that meaningful reform must reflect the desires of the people of the region—it will only succeed if it is internally driven, not externally imposed, but we and others can and must help.

Greater Middle East 21st Century Trust Issues

Question. What is your view of the Greater Middle East Trust idea contained in S. Res. 375?

Answer. President Bush has established the promotion of freedom, democracy, and political, economic, and educational reform in the countries of the broader Middle East as a major long-term priority for the United States. Increasing freedom and opportunity will generate new hope, and diminish the appeal of extremism for people throughout this region.

We are moving forward with implementing the Broader Middle East and North Africa Initiative, agreed by G-8 leaders at the Sea Island Summit, and continue to make progress through the dozens of impact-oriented reform programs launched under the U.S. Middle East Partnership Initiative.

We welcome the leadership shown by Members of Congress in proposing increased assistance and new programs and coordination mechanisms to support reform. I share the goal of structuring U.S. efforts effectively to coordinate and implement democracy and reform assistance programs to support the President's vision.

A "Greater ME 21st Century Trust" is a worthy idea which we should explore further. Creating such a trust fund, however, could require an increase in available appropriations for promoting reform and democracy in the region. The steady reduction in funding for MEPI over the past three fiscal years has strained our ability to advance U.S. reform efforts. It would be difficult to persuade other governments to contribute into a "Trust" unless we demonstrate U.S. resolve in this area.

Cuba

Question. I have received reports that officials of the U.S. Department of State, Treasury, and possibly the National Security Council are recommending administrative or regulatory clarification related to implementation of the Trade Sanctions Reform and Export Enhancement Act, which would likely impact U.S. agricultural exports to Cuba. The reported revision of requirements applied to U.S. agricultural sales will be injurious to American farmers, and emphasize that the U.S. is not a reliable exporter. If accurate as reported, the proposed change would overturn Con-

gressional intent to allow normal cash sales to Cuba as they are currently transacted. Dr. Rice, please provide background information on the genesis and status of this proposed change and how you expect it to affect agriculture sales to Cuba.

Answer. U.S. agencies, including the Department of State, have met with concerned parties, including U.S. exporters and shipping companies, to hear directly their views about any potential change and its impact on their business.

There is an inter-agency process considering whether the regulations implementing the law should be clarified. However, no decision has been made, and thus no change has been made in U.S. policy concerning agricultural shipments to Cuba.

Russia

Question. How would you describe U.S.-Russia relations today? What are the main challenges to the relationship that you will need to address in the near future?

Answer. In many areas, the relationship is more or less on the right track, but we have a ways to go to realize the full potential that both countries had hoped for. We have worked well together in some areas, notably on counter-terrorism and nonproliferation. However, we have growing concerns about Russia's reversal of many democratic reforms implemented in the 1990's. We continue to raise our concerns as a partner that wants Russia to succeed as a strong, vibrant, democratic country.

The cold-war rhetoric and threat of global nuclear annihilation has been replaced by unprecedented U.S.-Russia counter-terrorism and nonproliferation cooperation. We now share actionable counterterrorism intelligence and are close to concluding a bilateral agreement on MANPADS.

Presidents Bush and Putin have a good, strong relationship that sets the right tone for moving forward on a broad range of initiatives. Recent joint successes include Iraqi debt forgiveness, space cooperation, and Afghanistan elections. The relationship's resilience was shown on ABM withdrawal and NATO expansion to the Baltics, which many said would provoke a crisis in our relations and did not.

At the same time, significant challenges remain. We have some work to do to convince the Russians that geo-political and economic success is not a zero-sum game. Free, peaceful and prosperous Ukraine, Georgia, Moldova and other neighbors are in Russia's interest.

Ten years on, Chechen war needs a political solution and an end to human rights abuses. We must also make clear that there is no excuse or justification for terrorism.

Russia needs to integrate more firmly into global institutions as appropriate. Russia can play a constructive role in Six-Party talks, on Iran, BMENA initiatives and as part of the Middle East Quartet. Recent backsliding on democracy and other human rights may begin to raise questions about the suitability of Russian participation in other international institutions.

To further this integration, Russia must show that it shares Western and international values, including a free judiciary and press, strong civil and governmental institutions, the rule of law, freedom of speech, assembly and religion.

Russia will likely continue to project "soft" power using its oil and gas resources and nuclear know-how. Unfortunately, the handling of the Yukos case poses serious questions about Russia's respect for the rule of law, property rights, and openness to investment.

Question. How is Russia cooperating with the United States in the Global War on Terror? What assistance is Russia providing to Afghanistan? Does the United States envisage a role for Russia in reconstruction activities in Iraq?

Answer. President Putin was the first world leader to call the President to offer assistance in the wake of September 11.

Our two governments have a Counterterrorism Working Group, chaired by the Deputy Secretary of State and his Russian counterpart, that facilitates operational cooperation and exchanges of information on a wide range of terrorism concerns. Among the priority issues addressed by this Working Group are intelligence and law enforcement, aviation security, WMD, MANPADS, and terrorist financing.

Russia is assisting the Afghan National Army with equipment. We expect Russian aid to Afghanistan may increase if continued progress is made on resolving the issue of Russian debt contracted by previous Afghan governments.

To contain the outflow of Afghan narcotics, we are encouraging Russia to work with us, the EU, the United Nations Office on Drugs and Crime, and the Tajiks to strengthen border security and interdiction, as well as to train and equip the Tajik Border Guard as Russian-led forces leave the Tajik-Afghan border by 2006.

Russia has considerable potential to assist in Iraq's reconstruction, particularly in infrastructure development and the energy sector.

President Putin recently committed to reducing Iraq's debt to Russia by about 93 percent, in accordance with its Paris Club obligations and additional commitments made by Paris Club members in November.

Question. How could possible setbacks in democratization and respect for human rights in Russia affect U.S.-Russian relations? How might the United States respond to such developments?

Answer. A stable, healthy, democratic Russia serves both U.S. and Russian interests, and will make Russia a more effective international partner.

Today's Russia bears little resemblance to the country that emerged from the ashes of the USSR. Despite fits and starts, Russia has overall made progress toward a more open society and economy. Recent backsliding—particularly the dilution of judicial independence, state control over nationwide television and end of the direct regional elections—raises concerns for us. Actions surrounding the Yukos case undermine Russia's commitment to the rule of law, transparency, respect for property rights and willingness to uphold the norms and values of a democratic market economy.

Based on these trends, during the certification process for the Cooperative Threat Reduction Initiative, we decided this fall for the first time to not certify Russia on human rights grounds. We informed our Russian colleagues about this decision as well as Members of Congress (the President signed the waiver to ensure continued flow of CTR funds).

We must maintain good channels of communication at all levels of the Russian Government in order to effectively share our concerns about how negative trends in these areas could hurt our relationship. We speak to our Russian interlocutors as frank partners who want to see Russia become a strong, vibrant, democratic country.

We also need to maintain good ties with those individuals and groups in Russia that are advocating for democratic values and institutions. Therefore, the U.S. must continue to provide robust support for programs that strengthen the rule of law, help fight corruption, and defend democratic values, including respect for human rights, in Russia. Building a larger constituency base between our two countries and our two societies will redound to the benefit of our overall relationship.

In FY 2005, we plan to spend over \$43 million for democracy programs in Russia—about a third more than we did in FY 2004. If confirmed, I look forward to working with Congress to ensure continued strong support for democratization and human rights in Russia.

Ukraine

Question. What is your sense of the impact the Ukrainian elections will have on the future of democracy in the region?

Answer. The fact that a democratic process prevailed and delivered a result that reflects the will of the people represents a stunning success for Ukraine.

It could have a major impact on the development of democracy in the region. It will signal to millions of people that democratic freedom is within reach and on the ascendance, and that citizens standing up peacefully for their political rights can make a difference. This will help bolster supporters of democracy, even as authoritarian governments in Belarus, Central Asia, and elsewhere in Eurasia crack down on pro-democracy civil society groups.

We will intensify our efforts to ensure that respect for democracy and human rights remains an integral component of our relationships. We will continue to emphasize that long-term stability, security, and prosperity arise when people enjoy freedom to participate in the civic life of their countries and fundamental human rights. We should bear in mind, however, that the conditions that made people's revolutions in Ukraine and Georgia a success—especially a well-developed civil society—do not exist everywhere in the former Soviet Union. Moreover, rulers in some of these countries are already drawing the wrong conclusion from the Orange Revolution and are bringing strong pressure to bear on pro-democracy NGOs.

Question. The U.S. imposed sanctions on several top Ukrainian leaders. What is the current status of those actions?

Answer. For months, we repeatedly and consistently warned Ukrainian officials of the high importance we place on the conduct of their presidential election process and voting day itself.

Most recently, in his November 18 letter to President Kuchma, President Bush wrote that a tarnished election would lead us to review our relations with Ukraine, and consider further steps against individuals engaging in fraud.

As we said during the campaign, any individual who has engaged in or benefited from corruption or interference in judicial or electoral processes should expect his visa application to be reviewed in light of Presidential Proclamation 7750 and all U.S. laws relating to visa eligibility. Pursuant to the Proclamation, we have denied the U.S. visa application of one prominent Ukrainian under Section 212(f) of the U.S. Immigration and Nationality Act for engaging in serious corrupt activity, including in the Ukrainian electoral campaign.

We continue to review the behavior of senior officials of the Kuchma/Yanukovych government and to consider whether further action may be in order in some cases.

Question. What is the new president's position on Ukraine's troops in Iraq? What impact, if any, will Ukraine's troop presence in Iraq have on your deliberations?

Answer. The U.S. and our Multinational Force (MNF) partners are very grateful for Ukraine's substantial troop contribution in Iraq. Ukraine has a 1,580-man troop contingent in Iraq—one of the largest in the MNF. Ukraine also has contributed peacekeepers in the Balkans, Africa, and Lebanon, and has provided support for Coalition operations in Afghanistan. These troops are making valuable contributions, and we have encouraged Ukraine to continue to support these operations.

During the presidential election campaign in Ukraine, both leading candidates said they would consider the possible withdrawal of Ukrainian troops from Iraq. Since the circumstances of any withdrawal are hypothetical at this point, I cannot comment further on their implications.

Europe

Question. How can we improve U.S.-European relations? In your view, can gaps between U.S. and European views regarding the role of multilateral institutions and the use of force be bridged?

Answer. The continued strength of U.S.-European relations is shown in the common values we share, and our common efforts to address the challenges to the transatlantic community. Although we have had sometimes very public disagreements with some European countries over Iraq and other issues, we are working together effectively in counter-terrorism, non-proliferation, Afghanistan, promoting democracy and reform in the Broader Middle East, Haiti, Darfur, the Balkans, and many other areas.

In Iraq, even leaving aside our largest coalition partner, the United Kingdom, we are working closely with many European nations to strengthen security and democratic institutions and to rebuild the economy. NATO is training senior military officers, and the European Union is playing an increasing role in providing technical assistance and police training.

The President's upcoming trip to Europe will take us still further in working together with our European allies and friends, including through NATO and the European Union, to address the common challenges we face.

The U.S. consults with Europeans constantly through a variety of fora, bilaterally with virtually all European countries and multilaterally through such institutions as the UN, NATO and the EU. We often consult with our European friends and allies before taking positions in international meetings. We regularly discuss with European governments the need to ensure that multilateral institutions are effective in carrying out their work. These consultations cover the widest spectrum imaginable, ranging from democracy promotion in Iraq, Afghanistan, and the Middle East to combating HIV/AIDS, fighting terrorism, and promoting economic growth through free markets and competition.

We also engage a broad spectrum of European audiences in public fora in order to ensure that our policies are understood. There is no substitute for personal contact as we advocate our policies. It is important also to consider how to increase educational exchange with Europe.

Despite popular perceptions, the U.S. and Europe are working together more often than not in both multilateral institutions and in the use of force. Although Europe is proud of its "soft power," its hard power is also essential: German soldiers are playing a major role in promoting security in Afghanistan. France has taken a leading military role in peacekeeping in Africa, a French general is commanding the ISAF mission, and France has special forces deployed with us in Operation Enduring Freedom in Afghanistan. Troops from the United Kingdom, Poland, Italy, and many other European nations are playing a vital role in strengthening security and building democracy in Iraq. And while popular attention focuses on U.S. military

deployments, the United States regularly uses civilian experts, technical assistance, public diplomacy, economic contacts, and a range of other diplomatic means to advance our objectives. America and Europe work together best when we both deploy all the variety of resources at our disposal in addressing common challenges as we are doing in so many areas today.

Question. What will be the administration's priorities in NATO and for U.S.-EU relations over the next four years? How can Washington best encourage its NATO allies to strengthen enhanced military capabilities and develop mobile forces able to project power beyond Europe?

Answer. The U.S. seeks in the EU a healthy, reliable partner that can help us address the challenges of the 21st Century: building stable and secure democracies in Iraq and Afghanistan; preventing Iran from acquiring nuclear weapons; fighting terrorism and WMD proliferation; promoting freedom, markets, social integration in the Broader Middle East; finding a lasting solution to the Israel/Palestine situation; and addressing lingering challenges in Eurasia and in Europe's immediate neighborhood: Ukraine, Russia, Belarus, Moldova, Caucasus, the Balkans (especially Kosovo).

On the economic side, we will seek to boost growth on both sides of the Atlantic, by promoting economic reform and innovation, enhancing our trade and investment relationship, and working jointly to speed global trade liberalization through the WTO. We will also seek to resolve all outstanding trade disputes.

We welcome EU efforts to enhance its military capabilities and to create rapid response forces, as long as these efforts are consistent with Berlin Plus arrangements.

NATO remains the essential forum for transatlantic security, and we will continue to implement the historic decisions made by NATO leaders at Istanbul last year: promote peace and stability in Afghanistan; train and equip Iraqi security forces; maintain security in Kosovo; and reach out to partners in the Caucasus, Central Asia, and the Middle East.

But NATO is only as strong as its capabilities. At Prague in 2002, NATO agreed on the need to improve Alliance capabilities to meet current and future threats and committed to acquiring the most needed capabilities, such as airlift, sealift, air refueling, and precision munitions. Progress has been made, but more work is needed. We will continue to urge Allies to meet these capability commitments.

NATO is strengthening its ability to respond to contingencies quickly through the creation of the NATO Response Force, which is expected to reach full operational capability by 2006. We have been pleased to see Allies making substantial NRF troop contributions.

The Balkans

Question. How does the administration plan to carry out its "Standards Before Status" Review policy on Kosovo by mid-2005? What process can be established to begin to address Kosovo's status? Should status be considered if Kosovo has not achieved progress on certain standards, such as security for the Serbian minority in Kosovo? What will be the U.S. role in this process?

Answer. We remain committed to a secure, stable and multiethnic Kosovo that is fully integrated into Europe. Resolving the issue of Kosovo's status will be a major step in achieving the President's vision of a Europe whole, free and at peace.

The eight international standards for Kosovo cover everything from security to rule of law to the economy. Their achievement will benefit the people of Kosovo no matter what its future status. Kosovo has made some progress on the standards, but much work remains.

The head of the UN Mission in Kosovo, Soren Jessen-Petersen, recently identified a number of key indicators that Kosovo should focus on in the lead up to the mid-2005 review. These are standards primarily designed to ensure the protection and rights of Kosovo's minority communities, notably the Serbs. Achievement of these key standards, while ensuring there is no major outbreak of violence, would help pave the way for a positive review.

At the same time, we are encouraging work to decentralize the administration of Kosovo, which would give Serb communities a greater voice in education, health care and possibly even justice issues, in municipalities where they have a large presence.

We are actively engaged with the Contact Group—where we join the United Kingdom, France, Germany, Italy, Russia and the EU—as well as with the UN, in assessing Kosovo's progress on the standards and in considering the possibility of launching status discussions. We are also actively engaging Belgrade to ensure that Serbia has a voice, but not a veto, in this process.

The United States will be an active player in the mid-2005 review and in any status discussions that may be launched. However, Kosovo's future, and that of its neighbors, is as a part of Europe. We will expect our Allies and friends in the European Union to take a leading role in this process.

Question. Following examples in Macedonia and Bosnia, should peacekeeping duties in Kosovo be turned over from NATO to the European Union? Should the U.N. Mission in Kosovo (UNMIK) be reformed or restructured?

Answer. UN Security Council Resolution 1244 has governed the administration of Kosovo since the end of NATO air campaign against the Milosevic regime in 1999. Under 1244, UNMIK was established as the civil administration for Kosovo and a NATO-led KFOR provides security. We are committed to both institutions.

The administration remains committed to the President's "in together, out together" pledge but we seek to "hasten the day" when Kosovo will be stable enough to stand without a NATO mission. While it is possible that either or both missions could change as part of discussions on Kosovo's status, it is premature to speculate on what direction those discussions might take.

At their December meeting, NATO Foreign Ministers agreed to maintain a "robust KFOR" and to consider changes to its composition only as a result of an improved security situation on the ground. Soren Jessen-Petersen, appointed by Kofi Annan to lead UNMIK last August, and his American deputy, Larry Rossin, have brought a new dynamism to the mission that has greatly improved its effectiveness.

We will continue to work with UNMIK, the UN Secretariat in New York, and other partners, such as the EU, to ensure that the mission is structured effectively and operating smoothly, particularly in the run-up to the mid-2005 review and possible launch of discussions on Kosovo's future status.

Question. Despite episodes of cooperation, Belgrade's lack of compliance with its commitments regarding the ICTY has held up Serbia and Montenegro's efforts to become more closely integrated into the EU and NATO. U.S. bilateral assistance has also been curtailed. What is the way forward on this issue?

Answer. The United States remains strongly committed to supporting the work of the UN International Criminal Tribunal for the former Yugoslavia and its efforts to bring to justice those most responsible for serious violations of international humanitarian law. The United States and our allies have made clear that upholding international obligations to the International Criminal Tribunal for the former Yugoslavia remains the most serious obstacle to Serbia and Montenegro's further integration into Euro-Atlantic institutions, including membership in NATO's Partnership for Peace.

We have called on all authorities in Serbia, especially Prime Minister Kostunica as head of the government, to issue clear and unambiguous orders for cooperation with the Tribunal, including the immediate apprehension and transfer to The Hague of Ratko Mladic, the three indicted generals living openly in Belgrade and all other fugitives hiding in the country.

We want to see Serbia succeed. We want to help Serbia and Montenegro integrate into Euro-Atlantic structures to create a Europe whole, free and at peace. We look forward to working with leaders in the state union and the Serbian Republic on a variety of issues in the coming months. The U.S. is ready and eager to broaden and deepen our relationship with Serbia and Montenegro and the Republic of Serbia. But the way forward will depend on Belgrade's actions to meet its international obligations. Serbia and Montenegro already faces consequences from its record of non-cooperation, including the suspension of some U.S. assistance.

President Bush's NDU Speech: IAEA Proposals

Last February, President Bush made several important proposals concerning the International Atomic Energy Agency (IAEA), the Nuclear Suppliers Group (NSG), and the Treaty on the Non-proliferation of Nuclear Weapons (NPT).

IAEA Proposals. The President made three proposals with regard to strengthening the International Atomic Energy Agency (IAEA). First, he proposed that all states should sign the IAEA Additional Protocol, and that signing of the Additional Protocol should be a condition for countries seeking equipment for their civilian nuclear programs by next year. Second, he proposed that the IAEA Board of Governors create a special committee on safeguards and verification. And, third, he proposed that no state under investigation for proliferation violations should be allowed to serve or continue serving on the IAEA Board of Governors or on the new special committee.

Question. What is the status of each of these proposals?

Answer. Additional Protocol (AP)

We are actively engaged in a number of efforts to promote universal acceptance of the safeguards agreements mandated under the Nuclear Non-Proliferation Treaty (NPT) as well as the related Additional Protocols. For the past several months we have been engaged with other G-8 partners in diplomatic approaches to a variety of states that have not yet concluded one or both of these agreements.

We are also actively engaged in the Nuclear Suppliers Group (NSG) in advocating signature of the AP as a condition of supply for transfers of nuclear trigger list items and technology. A subsequent British/Austrian proposal would require AP implementation rather than only signature as a condition of nuclear supply by the end of 2005. This is attracting broad support in the NSG, although a few states are reluctant to move ahead. We will continue to press for approval of the British/Austrian version of the President's proposal.

There is substantial support for the President's proposal to establish a special committee of the IAEA Board of Governors to focus intensively on safeguards. At last year's summits, G-8 and EU leaders agreed to work together to establish such a special committee, which would be responsible for preparing a comprehensive plan for strengthened safeguards and verification. These leaders also agreed that the special committee should be made up of member states that are in compliance with their NPT and IAEA commitments.

We have circulated a proposal for the mandate of this special committee to members of the IAEA Board of Governors, and expect the Board of Governors to take this up in the coming year.

The President's proposal that states under investigation for proliferation violations should not be allowed to serve on the IAEA Board of Governors or the proposed special committee was based on the principle that those actively breaking the rules should not be entrusted with enforcing the rules. We have achieved broad support for this principle.

G-8 and EU leaders agreed that countries under investigation for non-technical violations of their nuclear non-proliferation and safeguards obligations should elect not to participate in decisions by the IAEA Board of Governors or the special committee regarding their own cases.

We are working to have this principle accepted by the Board of Governors. We will also work to persuade each of the regional groups not to put forward as candidates for Board of Governors membership states that are under investigation.

Question. What is the current status of all U.S. diplomatic efforts to achieve universal adoption of the Additional Protocol?

Answer. We have long pressed for universal adherence to the Additional Protocol, and are working actively with G-8 and EU leaders to achieve that goal. We are also urging those states that have not yet done so to conclude promptly the safeguards agreement required under the Nuclear Non-Proliferation Treaty (NPT). In particular, G-8 Foreign Ministers, led by Secretary Powell, agreed to write to their counterparts worldwide and urge them to take the necessary steps.

We have also supported the IAEA's global outreach efforts. We will continue this work and use our actions on the U.S. Additional Protocol to demonstrate our commitment to strong IAEA safeguards.

I would like to thank the Senate and the members of this committee for your prompt action in consenting to ratification of the U.S. Protocol. If confirmed, I look forward to working with Congress on the passage of implementing legislation.

IAEA Referral of Cases of Noncompliance

Article XII.C of the Statute of the IAEA states that the Board of Governors, in cases of non-compliance, "shall call upon the recipient State or States to remedy forthwith any non-compliance which it finds to have occurred" and "[t]he Board shall report the non-compliance to all members and to the Security Council and General Assembly of the United Nations."

This language, however, appears to have been ignored given that no action was taken by the United Nations on the IAEA's report North Korean noncompliance in 2002 and we remained stalled in Vienna on Iran. Some experts believe that reporting to the UNSC is a formula for inaction and, therefore, risks undermining the NPT.

Question. What do you think we should do to correct the impression that referral to the UNSC might result in inaction at the UN thereby undermining the NPT, starting with the case of North Korea?

Answer. Reporting of noncompliance with International Atomic Energy Agency (IAEA) safeguards to the United Nations Security Council (UNSC) is an important

tool in enforcement of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). We should not shrink from its use. In the case of North Korea, reporting to the Security Council has placed pressure on the North Korean regime to address the international community's concerns regarding its violations of the NPT.

While a report of noncompliance does not mandate any particular UNSC response, the action alone makes an important statement. Reporting noncompliance to the UNSC places the issue on the agenda of the international body with the legal authority to address threats to international peace and security. A demonstrated willingness by the IAEA Board of Governors to report noncompliance to the UNSC can itself lead to positive movement on remedying noncompliance even before the IAEA Board of Governors votes on a decision to report noncompliance. Moreover, the Board of Governors has a responsibility to all NPT parties to safeguard their security and to place these matters before the UNSC. The Board of Governors cannot shy from its duty under the IAEA Statute simply because it fears "inaction" by the UNSC.

While the UNSC may not always pursue the action we would want in response to a report of safeguards noncompliance from the IAEA Board of Governors, having the weight of the UNSC behind the IAEA Board of Governors could be useful. This is the case even when immediate action by the UNSC is not feasible (or perhaps even desirable) under the circumstances of a particular case.

Question. Do you believe that any nation should be allowed to withdraw from the NPT after violating it and not be held responsible for its violations?

Answer. No. Article X of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) should not be treated as an escape clause for Parties that violate the NPT.

Arms control and nonproliferation treaties typically have withdrawal clauses stating that a Party, in exercising "its national sovereignty," shall have the right to withdraw from the treaty if it believes that circumstances "jeopardizing its supreme interests" justifying that action. Article X of the NPT contains such a provision. However, if an NPT party exercises its right to withdraw when it is in violation of the NPT, withdrawal does not excuse those violations. In some cases, a party may be held responsible for violations that preceded its withdrawal from the NPT. Moreover, the United Nations Security Council and/or Parties to the NPT, may find it necessary to take action against the withdrawing party based on legal authorities separate from the NPT, even though the state is no longer Party to the NPT.

Question. As Secretary of State, how will you work to make sure that IAEA referral of noncompliance to the UNSC will no longer result in inaction at the United Nations?

Answer. If confirmed as Secretary of State, I will work to ensure that any future International Atomic Energy Agency (IAEA) Board of Governors' report of non-compliance with IAEA safeguards agreements to the United Nations Security Council (UNSC) is handled in the most effective way possible.

Every case of noncompliance is unique, and there is no one remedy. In some cases, such as the one involving Romania in 1992, it may not be necessary for the UNSC to take action other than noting that the noncompliance occurred and has been remedied. Even in cases not already resolved, there also may be no immediate need for punitive action. For example, it may be enough initially for the UNSC to provide support to actions being taken by the IAEA to resolve the noncompliance. In the toughest cases, those in which the violating state refuses to meet its obligations, sanctions may indeed be required to help compel the necessary compliance.

The gravity of noncompliance with the NPT must be addressed and in a manner that ensures that noncompliance does not weaken the NPT or cause Parties to reassess their security calculations.

NPT 2005 Review Conference

Many experts have called for re-examination of the "atoms for peace" philosophy that appears to sit at the heart of the NPT. Sometimes called "the nuclear bargain," this thinking states that guarantees to the peaceful uses of nuclear energy ought to be provided to any state forswearing nuclear weapons under the NPT. Thus, states such as Iran argue that they have a "right" to fuel-cycle activity under the NPT that could lead to a nuclear weapon. The plain terms of the NPT, though, seem to suggest that a NNWS can only obtain the benefits of the nuclear bargain under Article IV so long as they are in conformity with their obligations under Article II.

Question. Do you believe that the NPT contains a right to fuel-cycle activities, notably reprocessing of spent fuel and enrichment of fresh fuel?

Answer. No, the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) does not create a right to engage in fuel-cycle activities. States have a right to develop nuclear energy as a matter of national sovereignty. However, non-nuclear-weapon state (NNWS) parties to the NPT—such as Iran—have undertaken a legal obligation to pursue only a peaceful nuclear program, in conformity with the nonproliferation obligations in NPT Article II and, by extension, the safeguards obligations in NPT Article III.

Iran's claims that its extensive, covert fuel-cycle activities, including enrichment and reprocessing, are for peaceful, non-weapons purposes are belied by the fact that they were not pursued in conformity with Iran's Article III commitment, nor, we believe, were they in conformity with Article II. The only credible explanation for Iran's enrichment and reprocessing programs is that Iran is vigorously pursuing a nuclear weapons capability. For nearly two decades, Iran procured technology for and developed these programs in secret and in violation of the NPT. It deceived the IAEA. Iran's small and nascent nuclear research and power programs cannot justify its expensive and troublesome nuclear program. In short, Iran cannot credibly argue that the right to develop nuclear energy for peaceful purposes extends to its program of developing enrichment and reprocessing for clear weapons purposes.

There is no need to reconsider the atoms for peace "bargain" of the NPT. There is an adequate nuclear fuel supply and compliant NPT parties are receiving ample external assistance for their peaceful programs. Currently there is no need for new states to establish reprocessing or enrichment capacity.

Parties do need to address the challenge posed by noncompliance with NPT nonproliferation obligations and ensure that parties pursue peaceful programs in ways fully consistent with the NPT's core nonproliferation obligations. Given the nature of the technology, the recent record of parties pursuing this technology, and the adequacy of the nuclear fuel supply, NPT parties that currently do not have fully functioning reprocessing and enrichment plants should not pursue these technologies. In keeping with the President's February 2004 initiative, we are seeking to persuade other supplier states not to supply such technologies to those parties that do not possess fully functioning plants, but rather to ensure fuel supply at a reasonable price. In the meantime, we should deal promptly with NPT violators that seek these technologies, particularly in the pursuit of nuclear weapons.

Question. Are the challenges posed by the fuel cycle the only challenges for the NPT, or are there other areas in which the United States might focus attention during the 2005 Review Conference?

Answer. The fuel cycle is only one part of a broader challenge faced by the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and its parties: non-nuclear-weapon state (NNWS) noncompliance with NPT nonproliferation obligations. Our principal focus at the Review Conference (RevCon) will be on this challenge, and we will cite Iran and the DPRK as the most pressing examples. We will urge others to recognize the gravity of noncompliance, press all parties to insist on full compliance by all parties, and more to strengthen collective tools against proliferation.

In the last two decades four states—the DPRK, Iran, Iraq, and Libya—have violated their NPT nonproliferation obligations in an effort to produce nuclear weapons. These violations threaten the security of all NPT parties. Two of these cases remain unresolved: the DPRK and Iran. The RevCon can provide vital political support to efforts such as the Six-Party Talks to resolve these cases. The RevCon can reaffirm the NPT's contribution to international security, the need for strict compliance with all of its provisions, the need for parties to address promptly and firmly cases of noncompliance, and the need to strengthen the NPT to avert future cases of noncompliance.

In addition to noncompliance, the RevCon should also consider the threat to international security posed by non-state actor interest in acquiring nuclear weapons and non-state actor involvement in trafficking in nuclear materials, technology, and equipment. We will pursue support for the President's February 11, 2004 NDU proposals to address these challenges from noncompliance and non-state actors. In addition to restraint on enrichment and reprocessing, other key tools are the NPT Additional Protocol, the Proliferation Security Initiative, implementation of UNSCR 1540, and expansion of the G-8 Global Partnership. We will of course be prepared to address the full range of issues we anticipate will be discussed at the RevCon.

Question. Do you believe that the NPT continues to serve the interests of the international community, or has it been permanently weakened given the events in Iran, North Korea or even South Korea to the point of making it irrelevant?

Answer. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) continues to be of fundamental importance to the interests of the international community. The NPT is the cornerstone of the nuclear nonproliferation regime and is vital to the national security of its parties. It sets the standards by which we define nuclear proliferation as a common security threat and provides essential mechanisms to respond to that threat.

The challenge posed by non-nuclear-weapon state (NNWS) noncompliance with nonproliferation obligations is unquestionably serious, particularly those posed by the unresolved cases of the DPRK and Iran. However, the proper response to these challenges is to strengthen international resolve to compel compliance, not to devalue the Treaty itself.

The vast majority of NPT parties comply with their obligations. Four states relinquished nuclear weapons and adhered to the Treaty as NNWS; others relinquished serious nuclear weapons ambitions to do the same. As many as 35 to 40 NPT NNWS have the technological capability to pursue nuclear weapons but do not because they perceive their security interests better protected by a strong NPT. The key challenge for the United States and all responsible NPT parties is to ensure that this equation does not change. Parties must address current cases of noncompliance and work to prevent future cases. Parties must ensure that noncompliance does not weaken the NPT or cause parties to reassess their security calculations. As part of this effort, the United States will urge others to recognize the gravity of noncompliance, press all parties to insist on full compliance by all other parties, and move to strengthen collective tools against nonproliferation.

Nuclear Suppliers Group Proposals

The President also proposed that members of the Nuclear Suppliers Group (NSG) should refuse to sell uranium enrichment or reprocessing equipment or technology to any state that does not already possess full-scale, functioning enrichment or reprocessing plants.

Question. Neither the thirteenth nor fourteenth NSG Plenary meetings (at Pusan, South Korea and Goteborg, Sweden) adopted the President's proposals. Does the administration intend to continue advocating for these ideas in the NSG?

Answer. We introduced the President's February 2004 proposal for blocking the further spread of sensitive enrichment and reprocessing technology (ENR) into the NSG's Consultative Group (CG) meeting in March and pursued it in the May Goteborg Plenary and in the October 2004 Consultative Group Meeting. (FYI—The 13th NSG Plenary in Pusan referred to in the question took place in May 2003, nine months before the President's speech.) The proposal has also been discussed in G-8 meetings. The G-8 Leaders at Sea Island in June 2004 agreed to put in place long-term controls on ENR equipment and technology by their July 2005 Summit, and in the interim to refrain for the next year from transfers involving such equipment and technology to additional states. We are continuing to press for the President's original proposal at the NSG and in the G-8. Other members have suggested instead establishing criteria by which to judge potential ENR transfers. We are discussing with partners the possibility of an alternative, criteria-based approach which would deny ENR technology or equipment to actual or potential proliferators. Thus far, however, we have not identified criteria—other than those which the President proposed in February 2004—which would provide sufficiently strong protections against ENR proliferation.

NSG Proposals

Question. As I noted in correspondence with the administration last April, China's entry into the NSG was preceded by its sale to Pakistan of two reactors. How do you assess China's record with regard to nuclear non-proliferation? Are you in any way concerned with China's ability to both control nuclear technology exported to it from the United States or other countries as well as enforce necessary export controls over dual-use nuclear commerce?

Answer. President Clinton's 1997 certification to the Congress that China "is not assisting and will not assist any non-nuclear weapon state, either directly or indirectly, in acquiring nuclear explosive devices or the material and components for such devices" remains valid. China has shown that it is serious in wanting to improve and strengthen implementation of its nuclear export control laws and regulations, including strengthening its ability to enforce nuclear export controls.

For example, in September 2003, China intercepted a shipment of chemicals that could have been used in North Korea's nuclear program. Chinese officials repeatedly have emphasized China's opposition to nuclear weapons proliferation and support

for international nuclear nonproliferation efforts, including enhancing the effectiveness of the NPT, strengthening IAEA safeguards, and encouraging wider acceptance of the Additional Protocol. In fact, China was the first nuclear weapon state to bring an Additional Protocol into force. China has supported efforts to enhance physical protection of nuclear material and strengthen international and national export controls. China has cited its establishment of a comprehensive legal system for nuclear, chemical, biological and missile export controls in accordance with international treaties and Nuclear Suppliers Group (NSG), Australia Group, and Missile Technology Control Regime guidelines. At the May 2004 NSG Plenary, China announced it was adopting dual-use catchall provisions and full-scope safeguards as a condition of nuclear supply.

However, vigilance is clearly required in the area of dual-use nuclear commerce where Chinese enforcement against illicit transfers to countries of concern remains inadequate. To that end, we have repeatedly raised with China the need for rigorous enforcement of its export controls to prevent such transfers, and interdict transshipments. Problems persist in Chinese export control implementation, enforcement and transparency. Exports by Chinese entities to sensitive countries continue to be of concern and U.S. statutory sanctions continue to be applied against Chinese companies, including sanctions for exports to Iran, pursuant to the Iran Nonproliferation Act of 2000. To encourage China's movement in the right direction on export controls, we held two export control talks with China in 2004, with specific emphasis on implementation of nuclear export controls. These talks open possibilities for additional U.S.-China technical cooperation on enhancing nuclear export controls.

NSPD-19 and Regulatory Issues

On November 21, 2002, the White House announced details of a National Security Presidential Directive (NSPD-19) examining many aspects of U.S. defense trade controls law and policy.

Question. What is your understanding of the status of the administration's promulgation of policies I understood to be contained in NSPD-19 or when President Bush might sign it?

Answer. State, Defense, and Commerce concluded their review of defense trade issues and held consultations with Congressional staff several months ago.

I believe the measures developed by the agencies are prudent and useful, but whether the President will choose to have the measures implemented is a matter for his decision.

Question. What do you understand to be the specific regulatory changes associated with the International Traffic in Arms Regulations (the ITAR, 22 CFR 120-130) on which some of NSPD-19 bears, and what specific changes to the ITAR would you envision being necessary as a result of President Bush's potential signature of NSPD-19? Would any part of NSPD-19 require amendments to the Arms Export Control Act?

Answer. Some of the measures recommended by the interagency review would require changes to the ITAR, and one would require a change to the AECA, but as noted previously, all the agency recommendations are a matter for Presidential decision.

Question. What are the specific problems created by the current regulatory environment under the ITAR for allied interoperability, controls on U.S. defense articles, services and technical data once they are exported, and the 21st century defense industrial global marketplace?

Answer. The ITAR has served its primary objective, which is to ensure that exports of U.S. defense articles and services support U.S. national security and foreign policy interests, and to keep such articles and services out of the hands of potential adversaries. The licensing process can be cumbersome; many improvements have now been made. But we need to pay attention to how we manage 60,000 license applications valued at nearly \$100 billion in proposed exports each year. Overregulation can harm our ability to control sensitive goods and support legitimate coalition and alliance efforts.

Coalition operations in the Global War on Terrorism have reinforced the importance of ensuring that our friends and allies have timely access to U.S. defense technology in order to fight effectively alongside our forces against our common enemies. In addition, rapid advances in defense technologies and changes in the U.S. and for-

eign defense industries require us to look for ways to make our laws, regulations, and procedures as timely and effective as possible in advancing our objectives.

Question. Will you continue to respect the long-standing practice of pre-notification of commercial arms sales to Congress under section 36 (c) of the Arms Export Control Act (22 USC 2276(c))?

Answer. The Executive Branch has a strong interest in ensuring U.S. arms transfers enjoy the benefit of congressional oversight. We will continue to comply with the Congressional notification requirements of Sec. 36 of the AECA.

If confirmed, I intend to work with the Congress to ensure that the oversight process promotes effective consultation so that we may better understand the Members' perspectives in our management of this important defense export function.

Question. There were multiple changes to the United States Munitions List (the USML, 22 CFR Part 121) in both 2003 and 2004. Do you envision any additional changes in 2005, either as a part of the NSPD-19 process or other administration reviews of the USML? If so, which USML categories might be amended?

Answer. Considerable effort has gone into reviewing the USML since 2001. Of the 21 categories in the Munitions List, 10 have been revised and published in the Federal Register. Eight additional categories are completed, near completion or being reviewed by State, Commerce, and DOD, so I expect there will be additional changes in the near future. I expect this process to continue, as the USML continues to be out of date.

As required by law, removals from the USML will be notified to the Congress.

Pakistan: Arms Sales and Policy Linkages

In November 2004, the State Department notified Congress of three Foreign Military Sales (FMS) sales to Pakistan under 36(b) of the Arms Export Control Act, "the Act", (22 USC 2776(b)). The three sales had not received, by long-standing and well-established practice, the pre-clearance of the majority and minority sides of the Senate Foreign Relations Committee. These sales to Pakistan were notified without resolution of many issues and questions surrounding arms sales to Pakistan during pre-consultations on these cases.

Question. If you are confirmed to the position of Secretary, your Department will coordinate FMS with the Defense Department. Will you respect the long-standing practice of pre-notification of FMS to this committee?

Answer. We will continue to comply with the Congressional notification requirements contained in the Arms Export Control Act and the Foreign Assistance Act. The Executive Branch has a strong interest in ensuring that U.S. arms transfers enjoy Congressional support. If confirmed as Secretary of State, I intend to work with Congress to ensure that these objectives are met.

Question. What is the administration's overall policy with respect to arms sales, government or commercial, to South Asia?

Answer. The U.S. Government's overall policy for the conduct of arms sales, government or commercial, is governed by the Arms Export Control Act and the Foreign Assistance Act. These legislative parameters are codified by the Conventional Arms Transfer (CAT) Policy with the Department of State having been given statutory oversight for arms transfers and military export programs. Conventional arms sales are a legitimate instrument of U.S. foreign policy, designed and implemented to serve U.S. foreign policy and national security requirements. To this end, defense trade with the countries of South Asia is consistent with existing conventional arms transfer policy.

With the lifting of sanctions against India and Pakistan in 2002, the Department has applied the CAT policy with rigor and deliberation to all countries of South Asia. Arms sales, particularly commercial licenses, have increased significantly over the past three years. The Department applies the rigor required of the CAT policy to all arms sales in order to ensure U.S. national security interests are being served and that regional stability factors are duly weighed. Utilization of Foreign Military Sales (government-to-government arms sales) has not yet reached its potential. Increased Foreign Military Financing (FMF) to Pakistan, and continuity of message to the Government of India will help achieve greater reliance on government-to-government arms sales in the coming years.

We are mindful of the importance of not fueling a potentially destabilizing arms race between India and Pakistan. That said, both countries have legitimate defense

needs. U.S. defense sales are a means of helping them address those needs in a way that is consistent with our foreign policy objectives.

Question. I have read many reports with respect to the potential sale to Pakistan of FMS under F-16's. Should the sale, particularly if it is financed by the U.S. taxpayer, be conditioned on greater access by U.S. officials to A.Q. Khan and increased efforts by the Pakistan Government to counter all forms of terrorism emanating from its territory, especially given the potential regional repercussions of such a sale?

Answer. Pakistan sent the U.S. government a Letter of Request for 18 Block 50 F-16 aircraft in July 2004. The administration has not made a final decision on Pakistan's request. We will continue to consult closely with Congress on this matter.

Since July, Pakistan has made substantial progress in the war on terror, has acted decisively to shut down A.Q. Khan's proliferation activities, and has pursued peace with India. The GoP has raised the issue of F-16s with us on a number of occasions. It is a conversation we will continue to have. If confirmed, I will of course be available to address questions of this kind with the committee, perhaps in a closed session.

Question. Public press reports indicate that Pakistan and Iran have completed a formal defense cooperation agreement. Does such cooperation increase any concerns you may have with respect to Pakistan's ability to keep sensitive U.S. arms and technology out of the hands of state sponsors of terror, namely Iran?

Answer. Pakistan and Iran share a common border and maintain correct relations. The administration is aware of discussions and agreements between Pakistan and Iran on defense-related matters.

In August 2004, Jane's Defense Weekly reported that Iran's DefMin Ali Shamkhani and GoP acting DefMin Haid Nawaz Khan signed an MOU expanding defense ties and setting up a joint commission for defense cooperation. It remains unclear whether the August visit and subsequent MOU will lead to a significant increase in Pakistani-Iranian defense trade.

We have expressed our concerns about this issue to the Government of Pakistan on multiple occasions. On August 19, 2004, the South Asia Bureau stressed to officials of the Ministry of Foreign Affairs and the Ministry of Defense the comprehensiveness of USG law and policy on diversions of U.S.-licensed equipment and technology to third parties and access by third parties to the equipment and technology. The Assistant Secretary of the Political-Military Bureau reinforced these points with MFA officials in Islamabad at the end of August.

In our discussions, we have made clear the potential implications for U.S.-Pakistan relations of defense-related cooperation between Pakistan and Iran. Subsequently, those discussions were relayed to your staffs. It is also worth noting that Iran has also pursued closer defense ties with India simultaneously, even engaging in joint naval maneuvers. Iran is looking for allies to break out of its strategic isolation and Pakistan is one of several countries with which Iran is engaged. We will continue to monitor this issue. If confirmed, I will of course be available to address questions of this kind with the committee, perhaps in a closed session.

Question. Do you know of any past cases of transfers from Pakistan to other countries of U.S. defense items which could result in sanctions for illegal transfers of lethal military equipment (LME)?

Answer. Any discussion on this topic will have to be classified. If confirmed, I will of course be available to address questions of this kind with the committee, perhaps in a closed session.

RD-180: Goals and Policy

Commercial space launch vehicle cooperation with Russian entities has been seen as a means of preventing the diversion of ballistic missile technical knowledge and equipment to rogue states such as Iran or North Korea and achieving a domestic production capability for advanced and unique Russian systems.

Until 2004, the State Department had continued licensed cooperation with NPO-Energomash for co-production of the RD-180 engine under a contract with United Technologies Corporation. Pratt and Whitney and Lockheed Martin on a limited basis. In 2004, the Department submitted four licenses to the Senate Foreign Relations Committee, three of which, (DTC 018-04, 019-04 and 020-04) were authorizations that extended the validity of these licenses beyond the annual duration under which they had been previously notified. A subsequent authorization DTC 086-04, was received by the committee in the later part of 2004. All of these licenses were

approved on the understanding that the goal of these arrangements was to achieve a U.S. production capability for the RD-180 and prevent proliferation of this technology. Yet, Russian ballistic missile proliferation appears to have continued, as the Central Intelligence Agency's most recent Unclassified Report to Congress on the Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions, 1 July Through 31 December 2003, notes.

Question. What is your understanding of U.S. goals and policy with respect to licenses for the RD-180, both with regard to a timeframe for domestic U.S. production and whether this licensing arrangement has, in fact, served U.S. non-proliferation concerns in Russia?

Answer. Industry-to-industry contact can be an effective nonproliferation tool. We have repeatedly made the point to Russia that it is important that the Russian aerospace industry not assist missile programs in problem countries if it wants to enjoy the benefits of space cooperation with the United States. Export arrangements for the RD-180 program have been scrutinized at the highest levels of the Department to ensure that the progress of the program has been in line with our nonproliferation objectives.

According to United Technologies, the current contract phase will allow for the building of critical engine components and establishment of a capability to produce such systems in the United States. It is currently estimated that a co-production facility in the United States will be completed in 2007.

Question. How do you assess Russia's ballistic missile proliferation, both with regard to steps the Russian Government has undertaken to prevent such proliferation and its failures to prevent it (as can be inferred from the latest CIA report to Congress)?

Answer. We continue to have concerns about the Iranian missile program and its efforts to acquire missile technology from Russian sources.

We use every opportunity to make our concerns known to the Russian Government, to urge Russia to cut-off the flow of sensitive items to Iran, and continue to use the leverage afforded by U.S. space launch cooperation to seek better Russian controls.

As a result, Russia has taken some steps to address the problem of Russian supply to Iran's missile program, including implementation of strengthened export control laws and enforcement.

But we remain concerned that Russia has not done enough to thwart Iranian missile-related procurement. Russia's enforcement efforts remain inadequate, and the Iranian missile program continues to have access to missile-related technologies from Russian entities.

Museum Project

Question. The Department has set aside a space and promised to provide staff and security if private funds are raised for exhibits for the planned national museum of American diplomacy. What is the status of this project? Will it be completed during your tenure?

Answer. The Department shares with the Congress, the White House and other Federal institutions a commitment to make the work of our government more accessible to the American people. As with the Capitol Visitor Center, the Department's Visitor Center and Museum of American Diplomacy will provide an engaging place where citizens can come to learn how diplomacy was crucial in shaping our nation and how the work of the Department affects the lives of all Americans every day. Only an informed public will lend us their full support.

Working closely with our non-profit partner, the Foreign Affairs Museum Council, the Department has laid the groundwork for this project by creating a design concept that will draw visitors to the Department; finalizing a fundraising strategy that will ensure adequate private sector support; and creating an office, the United States Diplomacy Center, to oversee and manage the project. The Foreign Affairs Museum Council will assist in raising \$25 million in private funds for design and fabrication of the exhibitions and has already raised over \$1.2 million to support the design effort.

This project began as a Department exhibit, expanding to its future 18,000-square-foot location within the Harry S Truman Building as its potential as a public resource was realized. The three immediate preceding Secretaries of State have supported the project and all living former Secretaries of State are Honorary Directors of the Foreign Affairs Museum Council. The Chairman of the Board of Directors is

Senator Charles McC. Mathias and Ambassador Stephen Low serves as President. Senator Sarbanes is also on the Board of Directors.

The Visitor Center and Museum of American Diplomacy will operate in conjunction with an adjacent, publicly accessible conference center and auditorium at the Department's 21st Street entrance. Together, the two will provide programs and events that enhance the Department's public outreach efforts.

The United States Diplomacy Center is working closely with the Bureaus of administration and Diplomatic Security to address safety and security concerns. Visitors to the centers will pass through an exterior security pavilion with x-ray and magnetometer screening devices. Both centers will be outside the security hard line.

Global Environment Facility

Question. Since 1994, the United States has been part of the Global Environmental Facility (GEF). The GEF has committed \$4.2 billion in grants, and leveraged \$11 billion in additional financing for more than 1,000 sustainable development projects in 160 countries. The U.S. is behind in its dues by \$139.8 million. Our dues for FY05 are \$177 million.

Is the administration committed to supporting the GEF, correcting our arrears, and paying our dues this year on time?

Answer. The United States remains committed to supporting the GEF. The U.S. is the largest contributor to this important fund, whose projects have resulted in significant environmental and development benefits in over 160 countries.

The United States pledged \$107.5 million per year for each of the four years of the 2003–2006 GEF replenishment period, in exchange for the GEF adopting specific reforms, including the adoption of a performance allocation system, by the end of the replenishment period. We volunteered to seek an additional \$70 million if the reforms were in place by November 2004, which unfortunately did not occur. In addition, we committed to seek additional contributions to pay off earlier U.S. arrears during this same period.

We will continue to work with the Congress to ensure that the GEF successfully meets its objectives under the 3rd replenishment agreement, particularly those concerning performance and transparency. Although the administration sought a total of \$153 million in arrears in fiscal years 2003 to 2005, Congress only provided \$65 million over these three years. So it is clear that it will take longer to pay off arrears than originally anticipated.

Over the past three years, the United States has actively pressed for significant improvements in the GEF's operations. As part of the 2003–2006 replenishment deal, the GEF agreed to establish a transparent performance-based allocation system to ensure effective use of assistance funds.

While some very real improvements have been made in the GEF as a result of U.S. initiatives, we are concerned that this performance-based allocation program has not yet been put in place. The progress made in implementing this program could be a factor in decisions on future U.S. contributions.

India-Pakistan Dialogue

Question. The U.S. has played an important role over the last two years in getting India and Pakistan back to the negotiating table. How can the U.S. most effectively use the strong ties we have developed with both sides to encourage further progress on the India-Pakistan dialogue?

Answer. We welcome the positive developments in relations between India and Pakistan. The agreement last January to resume a wide ranging dialogue, with the objective of reaching a peaceful settlement on all bilateral issues including Kashmir, was a real breakthrough. The efforts that have been made by both governments since then to move the Composite Dialogue forward are encouraging.

The conflict between India and Pakistan has deep roots. Ultimately, it will be up to both countries to resolve their differences. They must make the determination to accept the dictates of geography and recognize that there is no alternative to getting along with their neighbor. The decision to enter into a dialogue and their success in sustaining it throughout 2004 is testament to the fact that a desire for peace is growing in both nations. Our aim is to develop strong, separate relationships with India and Pakistan. I think we are succeeding, and we were able to put those good relationships to use during our efforts to reduce tensions in the region when they have flared during the last few years.

U.S. efforts to encourage the Indo-Pak peace process—some public, some private—are centered on nudging both countries to sustain dialogue and positive engagement. While we strongly support the dialogue process, we do not see ourselves as

mediators or taking a direct role. We stand ready to provide any assistance requested by both sides.

Pakistan: Cutting Off Support for Kashmiri Militancy

Question. U.S. officials in the past have said that we cannot push the Musharraf government too hard on the issue of cutting support to Kashmiri militants because of the myriad other issues on our agenda with Pakistan and out of concern that we might contribute to destabilizing his regime by asking him take on too many vested interest at once. However, many of the Pakistan-based militants training to fight in Kashmir have links to international terrorists, including those that target U.S. personnel in Afghanistan. How do we plan to work with the Musharraf government to ensure all official support (financing, training, and other) to Pakistan-based militancy is halted?

Answer. The U.S. Government is concerned about the activities of Kashmiri militant groups. We have repeatedly made clear to the Pakistani Government that it must continue its efforts to close all Kashmiri militant training camps and halt all militant infiltration across Kashmir's Line of Control (LOC). The Pakistani Government has formally banned several major extremist organizations, including Kashmiri militant groups, and has prohibited donations to these groups. We look forward to working with Pakistan and the international community at large to intensify the effort to cut off money flows to these groups.

Pakistan: Support for President Musharraf

Question. The U.S. has taken a fairly neutral position on the issue of Musharraf maintaining his dual role as President and Chief of Army Staff, leading many U.S. observers, as well as Pakistanis, to criticize U.S. policy as being too "Musharraf-centric." How do you react to this criticism? How can we continue to encourage real progress on democracy in Pakistan over the next few years?

Answer. The U.S. Government is committed to a long-term relationship with Pakistan that goes beyond individuals. Pakistan's transition to a sustainable democracy with strong democratic institutions is among our top policy goals in Pakistan. We regularly impress upon our interlocutors in the Pakistani Government the need to continue to make progress on democratization, including holding free and fair multi-party elections in 2007, as scheduled.

The U.S. Government is assisting Pakistan's own democratization efforts through USG-funded programs aimed at making Pakistani democracy more participatory, representative, and accountable. This includes strengthening national and provincial legislatures, political parties, NGO's, and independent media.

North Korea

Question. North Korea continues to insist on a "security guarantee" from the United States. Under what conditions is such a guarantee possible, and how would it be structured?

Answer. The proposal that we tabled at the last round of Six-Party Talks, in June 2004, included the provision of a multilateral security assurance if the North were to commit to dismantle its nuclear programs in a permanent, transparent and thorough manner, subject to effective verification, and begin taking the steps we outlined in our proposal to commence the dismantlement process.

As we told the North in our proposal, upon acceptance of the DPRK's initial declaration of its nuclear programs, and while it verifiably undertakes the initial dismantlement steps outlined in our proposal, the parties would provide provisional multilateral security assurances, which would become more enduring as the process proceeded. These would include assurances that no party had any intention to invade or attack another, as well as a commitment on the part of all parties to respect the territorial integrity of others.

We have made clear to North Korea and all of the members of the Six-Party process that the U.S. will not provide a bilateral security assurance to the North. As North Korea's pursuit of nuclear weapons is a multilateral concern, the U.S. will participate in only a multilateral security assurance. President Bush has, however, made clear that the United States has no intention of invading or attacking North Korea.

U.S.-China Relations

Question. Several East Asian leaders have expressed frustration to committee Members over what they view as mixed messages from the Executive branch on the

cross-Strait issue involving China and Taiwan. Could you explain our nation's "One-China" policy? Is it your understanding President Bush intends to continue this approach? Under what circumstances would the U.S. come to the assistance of Taiwan in case of attack?

Answer. President Bush remains committed to our One-China Policy based on the three Joint Communiqués and on the Taiwan Relations Act.

Our establishment of diplomatic relations with the People's Republic of China rests upon the expectation that the future of Taiwan will be determined by peaceful means. We oppose unilateral moves by either side to change the status quo.

To this end, we make available to Taiwan arms of a defensive character, and we maintain the capacity of the United States to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan.

We consider any effort to determine the future of Taiwan by other than peaceful means, including by boycotts or embargoes, to be a threat to the peace and of grave concern to the United States.

The President will promptly inform the Congress of any threat to the security or the social or economic system of the people on Taiwan. The President and the Congress would then decide on appropriate action by the United States in response to any such danger.

Question. During your visit to Beijing in July 2004, what areas of agreement and disagreement did you find concerning U.S. and PRC information on North Korean nuclear weapon programs? Has China shared any information on Pakistani scientist A. Q. Khan's nuclear sales? How might China be more helpful in using its "considerable influence with North Korea?"

Answer. We have briefed our Six-Party partners on our assessment of North Korea's nuclear programs, including its uranium enrichment program. The evidence we have supports that assessment.

We continue to have close consultations with all of our Six-Party partners, including China, on the nuclear issue. Our allies and other partners in the Six-Party talks share our concerns about North Korea's possession of nuclear weapons.

As coordinator and host of the Six-Party talks, China has been active in all aspects of the Talks, including working groups and formal plenary discussions, as well as during the intervals between plenary sessions. We have encouraged China to be an active participant, and not just a mediator in the Six-Party talks.

We also told China that they must work harder at convincing North Korea's Kim Chong-il that North Korea must return to the Six-Party talks and must commit to the dismantlement of their entire nuclear program, to include their uranium enrichment program—which North Korea continues to deny having.

There is a concerted, worldwide investigation into the A.Q. Khan proliferation network. China supports the international community's efforts to shut down the network.

Question. China is rapidly accelerating its diplomatic and business ties to South-east Asia. Whether to locate necessary resources to meet growing energy demands or to increase cooperation in agricultural trade and economic development, China is aggressively reaching out to ASEAN. Recently agreement was reached to pursue the China-ASEAN Free Trade Zone. How will such economic ties impact U.S. security and trade interests in the region?

Answer. China's outreach to ASEAN has indeed accelerated in recent years. The outreach takes the primary form of economic engagement, a fact that has political and strategic implications for the United States. Nevertheless, the United States continues to be a major player in the economy of the Asia-Pacific region, and U.S. ties with ASEAN are strong and growing stronger.

China's recent outreach has included the November 2004 "early tariff reduction agreement" between China and ASEAN countries, which will begin reducing duties in mid-2005, prior to the projected 2010 conclusion of the China-ASEAN Free Trade Area.

Countries in Asia increasingly view Beijing as a positive economic force in the region. For example, Beijing pledged more than \$20 million to support work in agriculture, information technology, education and Mekong River Basin Development under the China-ASEAN Free Trade Agreement. Because final processing of goods has generally migrated to China in recent years, ASEAN enjoys a significant trade surplus with China.

Nonetheless, the strength of the U.S. economy means we will remain a top trading partner for most Asian nations. China's free trade agreements with other Asian

economies are unlikely to dramatically reduce that dominance. The United States has over \$120 billion in trade annually with ASEAN countries. Over time, development in China and other Asian countries might enable them to compete more aggressively with us in high-tech and service sectors. We will work hard to ensure that competition with China and other rising economies takes place within the context of a rules-based system. We are working to strengthen U.S.-ASEAN relations through the President's Enterprise for ASEAN Initiative, which focuses on improving trade ties, and the ASEAN Cooperation Plan, which supports cooperative programs, including in the economic area.

More broadly, we will continue strong economic engagement in Asia, working with our long-term partners, South Korea and Japan, and strengthening regional fora such as the Asia Pacific Economic Cooperation (APEC) forum.

Broader Latin America

Question. How would you define success with Latin America at the end of your tenure?

Answer. Thirty-three of our thirty-four neighbors in the Western Hemisphere enjoy the benefits of democratic government. Most share a commitment to free market principles.

One of the key goals of the Bush administration is consolidation of democratic rule in our hemisphere. Hopefully, that will include a peaceful transition to democracy in Cuba in the near future.

The administration's strategy for the Western Hemisphere is built on secure borders and commitments to democracy, free markets and economic integration. True success will be the extension of economic opportunity to all citizens of the Western Hemisphere, working to liberate millions more from the tyranny of poverty, inadequate education and crime.

Question. How can we best reverse negative public opinion in the region toward the United States? Do we need a change in our policies toward the region or is it a problem of communication?

Answer. Press reports to the contrary, mid-2004 polls show the U.S. is well respected in most countries in the region. Majorities in 12 of 17 countries polled hold a good image of the United States. Majorities of two-thirds or more in 13 countries see good ties between their country and the United States. Citizens of Central America, Panama, Colombia, Ecuador and Peru hold the most positive opinions of the U.S. Six in ten Mexicans have a positive image of the U.S., and two-thirds assess bilateral relations as good.

We will build on these good relations by expanding our outreach efforts, including educational, press, and economic exchanges, throughout the hemisphere. We will continue to counter negative claims by the Cuban and Venezuelan governments and highlight the USG's sustained efforts to improve the lives of millions in the hemisphere.

Question. Could you list in order of importance challenges facing U.S. interests in the region?

Answer. Our challenges in the Western Hemisphere include:

- Securing our borders by developing capacity for governments to exercise effective sovereignty and provide basic security over their territories.
- Strengthening democratic institutions by promoting representative, constitutional government as the only legitimate form of political organization in our hemisphere.
- Ensuring economic opportunity by bringing economic benefits to all, not just the rich or powerful.
- Investing in people by fomenting policies and programs to allow all citizens a "share" of prosperity and quality of life.

President Bush's strategy and vision for the hemisphere provides the roadmap for responding to these challenges and achieving full implementation of the economic and social reforms needed to deliver the benefits of democracy to all citizens of this hemisphere.

North American Border Security

Question. What progress has been made in implementing "Smart Border Declaration" agreements with Canada and with Mexico? What other policies are being im-

plemented to improve hemispheric border security? What will you do during your tenure to gain improved cooperation with Mexico and Canada on border security?

Answer. The Smart Border Partnership Action Plans continue to be the framework for United States border security cooperation with Canada and Mexico.

The United States is pleased with Mexican and Canadian cooperation under these Plans. Through Congressional authorization, we have provided assistance to Mexico to strengthen border controls, such as:

- 13 state-of-the-art inspection (VACIS) systems in Mexican customs facilities, and mobile X-Ray inspection units in some Mexican cities.
- Expansion of a secure electronic network for Travelers' Rapid Inspection lanes.
- Training for over 350 Mexican officials on border safety issues.

If I am confirmed, I will continue our collaborative efforts under existing plans while seeking opportunities for new initiatives to further border security in hemisphere.

Unilateral United States programs, such as US-VISIT and passport requirements for American citizens, further improve hemispheric security.

Beyond our collaboration with Mexico and Canada on contiguous border security, we work in multilateral fora, including the Organization of American States Inter-American Committee Against Terrorism (CICTE), and with regional partners. Examples of such cooperation include:

- President Bush's Third Border Initiative to focus attention, including security upgrades, on our border with the nations of the Caribbean Basin.
- In Central America, the United States supports a variety of anti-smuggling initiatives, including the Container Freight Tracking System.
- Our on-going "3+1" Counterterrorism Dialogue with Paraguay, Brazil and Argentina has made significant steps to enhance border security and build counterterrorism finance capacity in that region.

Question. Though the "Smart Border" declarations with Mexico and Canada further enhance the security of the borders and the flow of commerce, these agreements are largely dependent on current government-to-government relations. There is no legal framework within which to implement these agreements. Under your leadership, what will the Department do to create an institutional framework to deal with hemispheric border security? Given that Guatemala is the southern border to the NAFTA space, should Guatemala be included?

Answer. Agreements, letters of intent, statements of mutual understanding, and other arrangements that have been developed in the past several years shape our security cooperation with Mexico and Canada.

With Canada, the Smart Border Accord is the framework. The Canadian Preclearance Act provides authority for U.S. border inspectors working in Canada. In Mexico, the 22-Point Border Partnership Action Plan, signed in 2002, provides a framework. Letters of agreement with Mexico have been negotiated for the use of Congressionally-authorized funds to improve border security.

The U.S.-Mexico Binational Commission, which has met annually for 23 years, includes cabinet-level bi-national discussion of border security and cooperation.

The U.S.-Canada Cross-Border Crime Forum provides similar opportunity for senior officials of our countries to review security efforts.

The United States has a multifaceted law enforcement program with Guatemala, including enhancement of border ports of entry. The work is part of a larger Central American regional program to improve border controls. The Government of Mexico actively cooperates with the Government of Guatemala to combat smuggling and other threats along the Mexico/Guatemala border.

Venezuela

Question. Has the administration drawn up contingency plans in the event of another suspension of oil exports from Venezuela? Should arrangements be made with other regional oil producers to replace a Venezuelan shortfall? What other contingency plans should be made?

Answer. The United States and Venezuela have traditionally enjoyed a strong, mutually beneficial energy relationship. Venezuela is among the largest suppliers of petroleum to the United States. The United States is the single largest destination for Venezuelan oil.

We strongly believe this energy relationship remains in the national interests of both countries.

As outlined in our National Energy Policy, we are constantly working to enhance our energy security through promoting increasing diversity of global energy suppliers.

Question. How can the United States press for Venezuelan adherence to democratic standards without appearing to interfere in Venezuelan affairs?

Answer. Pressing for adherence to democratic standards is not interference in the internal affairs of another country. It is the right thing to do. As a signatory to the Inter-American Democratic Charter and other instruments, Venezuela must honor its commitments to uphold democracy, human rights and the rule of law. We are increasingly concerned about the continued deterioration of democratic institutions—unchecked concentration of power in the executive, politicization of the judiciary and increased threats to basic democratic and civil rights.

We are working with our hemispheric and international partners and the Organization of American States to help strengthen democracy in Venezuela. We continue to press the Venezuelan government to honor its constitutional and international commitments to democracy, human rights, and the rule of law. Additionally, we continue to engage civil society and democratic nations that share our values and concerns.

In August 2002, the United States Agency for International Development established the “Venezuela Confidence Building Initiative” to strengthen the country’s fragile democratic institutions by working with independent organizations to facilitate and enhance dialogue and support constitutional processes. We will continue to look for ways to enhance our support to democratic institutions in Venezuela and elsewhere. Support for democracy is a cornerstone of President Bush’s foreign policy.

Question. Currently the level of our direct engagement with the Venezuelan government is through our ambassador in Caracas. Do you intend to elevate this level of contact?

Answer. Our two countries traditionally have enjoyed close, friendly relations based on shared democratic values. We lament this historic relationship has deteriorated due to the actions and rhetoric of the Government of Venezuela (GOV).

Our relations are conducted in Caracas through our Ambassador and in Washington between the Department of State and the Venezuelan ambassador to the United States. In June, we accepted a GOV proposal for a bilateral working group. Although the GOV informed us of the intention to send two special representatives to Washington to explore the idea, the Venezuelan government never followed through.

Our Ambassador has been in Caracas for nearly five months and has only been granted a handful of meetings with Venezuelan officials in Caracas. Regrettably, the actions of the Government of Venezuela do not appear to indicate a desire to improve bilateral relations.

RESPONSES TO QUESTIONS FOR THE RECORD SUBMITTED BY
SENATOR JOSEPH R. BIDEN, JR.

Tenure as National Security Adviser

Question. Section 108 of the National Security Act requires submission to Congress of a “national security strategy report” on an annual basis. Such a strategy report is also required within 150 days after a new President takes office. During this administration, this report has been submitted to the Congress only once, in September 2002. As Assistant to the President for National Security Affairs, is it not your responsibility to assure the preparation and submission of this report? Why has the administration failed to comply with this legal requirement?

Answer. Unlike previous national security strategies, President Bush’s National Security Strategy of September 2002 was meant to be an enduring document, one that would last for more than a year. Significant time and resources were dedicated to producing a comprehensive strategic document that would reflect the President’s vision and his specific priorities and initiatives to protect our national security over the next several years and beyond. It was a top down document that required Principals’ time and that of the President. We have reviewed the September 2002 strategy during each of the last two years and believe that it remains valid today. I regret, however, that we did not communicate this conclusion to Congress. The administration plans to update the strategy to take account of significant developments

since its publication, including the war in Iraq, and to submit an update to Congress this year.

In the last six months of 2004, you gave 11 public speeches, nine of which were delivered in states that were considered important “battlegrounds” in the 2004 presidential election, including Oregon, Washington, North Carolina, Ohio, Pennsylvania, Michigan and Florida.

Question. (a). Please comment on why you believe it was appropriate to deliver these speeches in such “battleground” states during the presidential campaign period. Why did you not have a concern that these appearances—inasmuch as all of them (but one) occurred after the Democratic and Republican national conventions and prior to Election Day—might be construed as partisan political activity?

(b). Do you agree that, as Secretary of State, you should abstain from activities that might be construed as partisan political activity?

Answer. By tradition and custom, the National Security Advisor does not actively participate in public campaign or political events, and I have continued that tradition. However, I do not believe that this means being non-accessible. At a period in U.S. history when national security has been very much on the minds of the American people, I have found it important, throughout my tenure as National Security Advisor, to discuss the President’s national security policies in public speeches. It is also important to me to make myself accessible not just in Washington but to citizens in their communities and to local reporters. Because of concerns expressed by some members of Congress, I understand that all of my speeches in 2004 were reviewed by the Office of Special Counsel, which concluded that they were standard policy speeches that did not involve partisan political activity or campaigning. If confirmed as Secretary of State, I intend to continue the tradition in that position of not actively participating in public campaign or political events.

9/11 Attacks

Question. Looking back at the period between January 20, 2001 and September 11, 2001, do you believe there is anything you should or could have done differently to assist the President to try to prevent the 9/11 attacks?

Answer. I believe that we did everything that was appropriate and possible at the time to protect the American people and our interests from terrorist attacks. I do not believe there was a single “silver bullet” that could have prevented the 9/11 attacks. As I said during my testimony before the 9/11 Commission, “In hindsight, anything might have helped stop 9/11, it would have been better information about threats inside the United States, something made difficult by structural and legal impediments that prevented the collection and sharing of information by our law enforcement and intelligence agencies.” This view is shared by the 9/11 Commission, which found that government institutions failed to adapt to the threat of terrorism, enabling the terrorists to exploit “deep institutional failings within our government” caused by a variety of factors spanning many years, many departments, and multiple administrations.

On July 13, 2001, you gave a speech at the National Press Club. You indicated that mid-July was “as good a time as any to start making some observations on how [the administration was] doing.” The speech started by listing the President’s priorities, and then reviewed some of these priorities, such as relations with Europe and Africa, and missile defense. A noticeable omission was the subject of terrorism, which was mentioned only as a challenge that faced Africa. The report of the 9/11 Commission indicates there was a significant level of threat reporting in the immediate period before your speech (*see, e.g., p. 257*—“Threat reports surged in June and July, reaching an even higher peak of urgency”).

Question. Given the ongoing level of threat reporting, why was the threat of terrorism against the United States and U.S. interests not considered a priority meriting substantive discussion in this address?

Answer. Counterterrorism was—and continues to be—a high priority for President Bush. After he took office, President Bush retained George Tenet as Director of Central Intelligence and Louis Freeh as Director of the FBI; I retained Dick Clarke and the entire Clinton administration’s counterterrorism staff at the NSC. We quickly moved to develop a new and comprehensive strategy to eliminate the al-Qaeda terrorist network, which was approved on September 4, 2001, and was the first major national security policy directive of the Bush administration. While we were developing this new strategy to deal with al-Qaeda, we also took action on a number of specific anti-al-Qaeda initiatives that had been proposed by Dick Clarke, and worked hard on multiple fronts to detect, prevent, and protect against terrorist ac-

tivities. I did not address the subject in this speech because we had not yet concluded the policy review.

Question. The 9/11 Commission reported that “no Principals committee meetings on al Qaeda was held until September 4, 2001,” although there were 32 such meetings on other subjects prior September 11, 2001. At the September 4 meeting, the Principals Committee approved a draft presidential directive on al Qaeda. Why did it take over 7 months to convene a Principals Committee meeting on this subject, and to approve a strategy on al Qaeda?

Answer. The Deputies and department/agency staffs worked intensely on developing this new National Security Presidential Directive (NSPD) beginning in March 2001. The development of a new, comprehensive, and aggressive al-Qaeda strategy was exceptionally fast, especially given the time required for the Senate to confirm key principals and deputies, the complexities involved in orchestrating all aspects of our national power, other pressing issues, and the activities attendant to the start of a new administration. While the NSPD was approved by the Principals Committee on September 4, it is important to note the strategy development process was completely different from the on-going process of identifying and responding to specific threats, which occurred throughout 2001 and was not contingent upon the Principals’ approval of the NSPD.

Iraq and Pre-War Intelligence

On January 28, 2004, David Kay stated to the Senate Committee on Armed Services that “we were almost all wrong” about the judgment that Iraq possessed weapons of mass destruction before March 2002.

Question. (a). Do you agree with Dr. Kay’s statement? Please elaborate.

(b). Do you believe the President was well-served by the Intelligence Community and by the NSC staff in the preparation and presentation of pre-war intelligence on Iraq’s weapons of mass destruction programs? Please elaborate.

Answer. I believe that the matter is more complicated than Dr. Kay’s five word characterization. I agree with Charles Duelfer’s conclusion that:

Saddam continued to see the utility of WMD. He explained that he purposely gave an ambiguous impression about possession as a deterrent to Iran. He gave explicit direction to maintain the intellectual capabilities. As UN sanctions eroded there was a concomitant expansion of activities that could support full WMD reactivation. He directed that ballistic missile work continue that would support long-range missile development. Virtually no senior Iraqi believed that Saddam had forsaken WMD forever. Evidence suggests that, as resources became available and the constraints of sanctions decayed, there was a direct expansion of activity that would have had the effect of supporting future WMD reconstitution. *Comprehensive Report of the Special Advisor to the DCI on Iraq’s WMD, September 30, 2004, Vol. I, p. 9.*

In ordering the creation of the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, the President has shown his determination to ensure that we have the very best intelligence possible on this critical issue.

Aluminum Tubes

In an interview with CNN on September 8, 2002, you stated that Iraq was importing aluminum tubes that “are only really suited for nuclear weapons programs, centrifuge programs.” The report of the Senate Select Committee on Intelligence (“Report on the U.S. Intelligence Community’s Prewar Intelligence Assessments on Iraq,” July 7, 2004) indicates that there was considerable debate in the intelligence community for nearly a year and a half before September 2002 about the utility of the aluminum tubes. On September 12, 2002, in his address to the United Nations General Assembly, the President stated that “Iraq has made several attempts to buy high-strength aluminum tubes used to enrich uranium for a nuclear weapon.”

Question. Were you aware of this debate when you made this assertion about the aluminum tubes? Were you aware of it during the preparation of the President’s speech to the UN? If so, do you regret your categorical statement about the purpose of the tubes? If not, why do you think you were not informed that there was such a debate?

Answer. My statement in September 2002 was consistent with the majority view of the Intelligence Community at the time. Subsequently, in October 2002, the National Intelligence Council produced the National Intelligence Estimate on Iraq, which stated that: “Most agencies believe that Saddam’s personal interest in and Iraq’s aggressive attempts to obtain high-strength aluminum tubes for centrifuge rotors—as well as Iraq’s attempts to acquire magnets, high-speed balancing machines, and machine tools—provide compelling evidence that Saddam is reconstituting a uranium enrichment effort for Baghdad’s nuclear weapons program. (DOE agrees that reconstitution of the nuclear program is underway but assesses that the tubes probably are not part of the program.)”

Iraq

On July 21, 2003, *USA Today* reported that, prior to the war, the NSC staff prepared a memorandum that examined previous peace and stability operations and came up with specific estimates for a force size to stabilize a post-Saddam Iraq. According to the article, the memo suggested that using Bosnia as a guide, 500,000 forces would have been required.

Question (a). What were your views on the requirements of the size of the stabilization force?

(b). Prior to the war, there was an open disagreement between General Eric Shinseki (then Army Chief of Staff), and the civilian leadership of the Pentagon over the size of the force required in post-conflict Iraq. Did you take steps to ensure that the views of General Shinseki and others in the uniformed military reached the President? Why were those views dismissed? What is your understanding of the assumptions that led the Pentagon to ultimately deploy the level of troops it did for stability operations? In retrospect, do you believe that we deployed sufficient forces for stability operations?

Answer. The NSC staff did perform a “quick look” prior to the war, which examined the ratio of stabilization forces to the overall population of countries where such forces had been stationed. A number of examples were examined, and the ratios varied widely. None was seen as a yardstick for Iraq. The NSC staff does not determine military requirements. The President was briefed on a continuing basis prior to, during, and after the Operation Iraqi Freedom by the Secretary of Defense, the Chairman of the Joint Chiefs of Staff (who is the principal military adviser to the President and also represents the Joint Chiefs), and the Commander, U.S. Central Command.

On October 25, 2004, the *Wall Street Journal* reported that the Department of Defense prepared detailed plans in June 2002 for options to strike a military camp in northeastern Iraq where Abu Musab al-Zarqawi allegedly was based, but the White House never approved such a strike. NBC News reported on March 2, 2004 that such a strike was rejected three times by the White House between June 2002 and January 2003. Press reports also indicate that the vast majority of terrorists—many of whom were al-Qaeda from Afghanistan—fled the camp before we and the PUK finally attacked it during Operation Iraqi Freedom. Zarqawi is now one of the most lethal terrorists in Iraq, having recently been named head of al-Qaeda in Iraq by Osama bin Laden. Ansar al-Sunna, which has taken responsibility for the recent bombing of a U.S. military base in Mosul and a series of other vicious attacks in Iraq, is thought to be an off-shoot of Ansar al-Islam, which was operating in the same camp.

Question (a). On how many occasions did the administration refuse to approve strike plans? Please explain why.

(b). Do you regret that such a strike was not undertaken?

Answer. If we had been able to determine Zarqawi’s location prior to the war, we would have taken action to capture or kill him. While we knew that he and his associates were transiting the border between Iraq and Iran prior to the war, we did not have actionable intelligence that would have given his location at a given point in time.

Iraq Stabilization Group

In October 2003, the President directed that you head the Iraq Stabilization Group. As of this month, only \$2.4 billion of the funds appropriated the following month have been expended, (just 13%), despite the fact that the administration requested them on an urgent basis that autumn.

Question (a). What specific steps have you taken to accelerate the disbursement of the \$18.4 billion package for Iraqi reconstruction signed into law by the President in November 2003?

(b). Are you satisfied with the current rate of expenditure? Do you believe that enough Iraqis are involved in the process? Are local and provincial governments in Iraq being used enough to help get funds expended so that Iraqis realize tangible benefits?

Answer. My staff has been interacting with relevant agencies and Embassy Baghdad (and the CPA prior to the transfer of sovereignty) on an almost daily basis with respect to how the United States might best use the \$18.4 billion IRRF monies. We have worked to improve the flow of information and to coordinate the U.S. response in an effort to create innovative ways to spend taxpayer money most effectively while at the same time maximizing benefits to Iraqi citizens.

Iraq needs the resources to overcome the formidable obstacles it faces. Our goal is to give the people of Iraq the resources they need to cultivate a new Iraq. Through our strategy, we have sought to identify and target key high-impact areas for immediate focus—and funding—to create the momentum and legacy of visible success, which can, in turn, support longer-term reconstruction efforts.

Offices in the government that became involved in post-conflict Iraq have told the committee that they were not involved in planning before the war.

Question (a). Why was the Office of Reconstruction and Humanitarian Assistance established only on January 20, 2003, less than two months prior to the conflict?

(b). What steps did you take to ensure that State Department's Future of Iraq project were incorporated into the overall administration efforts to plan for post-Saddam Iraq?

(c). What role did the NSC play to promote interagency coordination in pre-war planning, and what notable successes and failures resulted?

Answer. Contingency planning in case of war in Iraq began in the early Fall of 2002. It was done by an interagency team coordinated by NSC staff, and included every relevant agency. The team met multiple times per week for months, and covered both pre-war planning to support the war-fighter and to avert humanitarian disasters if war occurred as well as every aspect of post-war civilian matters—water, sewage, medical care, food, ports, electricity, courts, and governance.

Later, in January 2003, it was decided that a special office should be established to take all the work that had been done and put it to use if we went into Iraq. ORHA was created with that purpose. The interagency team was indeed familiar with the work the Future of Iraq project had done, and of course the State Department was represented on the team. That work did become part of the overall preparations the team was undertaking. Some aspects were immediately useful; other parts, such as the redesign of the judicial system, are still very valuable and will, we hope, help Iraq's new government with that important task. The team worked well and put together a good plan for the civil and humanitarian work in case of war.

Our planning efforts have paid off in many vital areas, although the environment in Iraq has proved to be very challenging and we have had to adapt to some unforeseen circumstances. At the same time, I strongly support the creation of the Office of Reconstruction and Stabilization inside the State Department to create the permanent capacity to work with the Department of Defense to do reconstruction and stabilization planning in post-conflict and other crisis situations. I very much appreciate the committee's leadership on this effort.

Before the war, a specific recommendation was made to this committee that, based on past experience in post-conflict situations, it was necessary to recruit an international police force of roughly 5,000 before hostilities to move in quickly to train Iraqi police afterwards. A similar recommendation on the size of an international police training force was made by our own experts in the Iraq Police Assessment Team in June 2003.

Question (a). What steps were taken to act on their recommendations? Please describe any attempts that the administration made to recruit international police forces before the war. If none were made, please explain why.

(b). In June 2004, more than 14 months after the fall of Baghdad, General Petraeus was appointed to revamp and consolidate the training program for Iraqi security forces. Why did the administration not move more quickly to overhaul this program?

Answer. Recommendations made early on to field an international police force of approximately 5,000 men in Iraq failed to recognize the significant differences between the situation in Iraq and past experience with UN peacekeeping missions.

Importantly, in contrast to Kosovo and other UN peacekeeping missions, the security situation in Iraq, where heavily-armed soldiers are being killed every day, has never been stable enough to allow for widespread deployments of lightly-armed civilian policemen. There has never been a UN Civilian Police force deployed in a non-permissive security environment, and governments have shown their reluctance to send national contingents into the volatile environment of Iraq.

Because there is a limited pool of trained civilian policemen in the United States available for international missions, the United States alone could not have supplied a 5,000 man force. Few local or state police departments will release officers badly needed at home, and American civilian policemen going to missions are retirees or leave poorly paying jobs. To field 500+ U.S. civilian policemen in Kosovo posed significant difficulties, and INL had similar difficulties to get to 500 by November 2004, the target number set for March 2004.

As such, assembling a force of 5,000 men would require large contributions both in funding and personnel from a number of countries, since national contingents are often less than 200 and are often dependent on the UN to pay for the bulk of their expenses. However, no UN peacekeeping account was available for Iraq and many European countries have exhausted their supplies of police available for other peacekeeping missions.

The military has been very involved in Iraqi police programs since the outset and has had considerable influence over the way it has progressed. State/INL initially led the interagency management effort because of its control of funding and its traditional role in running civilian police programs in UN missions. The deteriorating security situation together with the recognition that a different approach was required made it prudent to shift lead responsibility for the entire program to the military. MNSTC-I was then set up and General Petraeus was put in charge.

China

In your Foreign Affairs article you wrote: "The longstanding U.S. commitment to a 'one-China' policy that leaves to a future date the resolution of the relationship between Taipei and Beijing is wise." And you strongly criticized the Clinton administration for articulating a policy of "three no's" during the President's trip to China. Specifically, President Clinton said, "I had a chance to reiterate our Taiwan policy which is that we don't support independence for Taiwan, or 'two China's,' or 'one Taiwan, one China,' and we don't believe that Taiwan should be a member in any organization for which statehood is a requirement."

The Bush administration has not only adopted the "three no's" position you criticized, but gone a major step further, arguing that Taiwan does not currently enjoy sovereignty and rejecting a final outcome that might lead to Taiwan independence, both steps that no U.S. administration had ever taken before. On October 25, 2004, Secretary Powell said in Hong Kong: "Both sides should show restraint, not taken any unilateral actions, look for ways of improving dialogue across the Straits and move forward toward that day when we will see a peaceful unification," adding, "There is only one China. Taiwan is not independent ... It does not enjoy sovereignty as a nation, and that remains our policy, our firm policy."

Question (a). Does the United States have a position on whether Taiwan enjoys sovereignty? If so, what is that position? Is Taiwan part of China?

(b). Was Secretary Powell wrong to rule out Taiwan independence as a possible future for Taiwan?

(c). Will you continue to argue that Taiwan and China should be reunified and that Taiwan does not enjoy sovereignty?

Answer. Our policy of long standing has not changed. We do not support Taiwan independence, and we oppose attempts by either side to unilaterally alter the status quo. American policy toward Taiwan is governed by our One-China Policy, the three Joint Communiqués, and the Taiwan Relations Act.

Additionally, we have reaffirmed our commitment to uphold the Six Assurances to Taiwan originally conveyed by President Reagan, including the assurance that the United States will not alter its position on the sovereignty of Taiwan, which is that it is a matter to be decided peacefully by the Chinese themselves.

We have long maintained that differences between the People's Republic of China and Taiwan are matters to be resolved peacefully by the people on both sides of the Taiwan Strait, absent the threat or use of force, and in a manner acceptable to the people on both sides of the Taiwan Strait.

Indonesia: Timika Murders

Question. No suspect has yet been brought to justice for murder of two U.S. citizens in Timika in August 2002. Initial reports, by both Indonesian police and the State Department, implicated the Indonesian military in the attack. In June, however, Attorney General Ashcroft shifted the blame to an alternate suspect, and downplayed a possible connection to the Indonesian military (TNI). In the meantime, the suspect remains at large, well documented ties between him and the TNI remain unexplored in official accounts of the case, and there appears to be no effort under way to advance the investigation.

Do you believe the FBI's investigation exonerates the TNI, or do you believe more investigation needs to be done? If more needs to be done, what do you intend to do to persuade the Indonesians to cooperate?

Answer. The arrest and prosecution of Anthonius Wamang, who was indicted by the FBI for the murder of two American citizens, is one of our top priorities. Although the investigation is not complete, the FBI has uncovered no evidence indicating TNI involvement in the Timika murders.

We know President Yudhoyono understands the importance of this matter to the United States and trust that the Government of Indonesia will take the appropriate actions to achieve justice in this case.

Question. If the case remains stalled—with no suspect in jail, no investigation actively probing alleged ties to TNI, no plans for any movement in the future—would you support a resumption of IMET training to the Indonesian military?

Answer. IMET for Indonesia is in the US interest. In FY 05, we have allocated \$600,000 in IMET funds (includes E-IMET) for Indonesia. The aim of IMET is to strengthen the professionalism of military officers, especially with respect to the norms of democratic civil-military relations such as transparency, civilian supremacy, public accountability, and respect for human rights. The GOI has demonstrated cooperation as required. We are currently evaluating whether to issue the required determination.

Nonproliferation

Question. The United States has several very useful programs to help former Soviet weapons of mass destruction scientists find new careers in more socially useful areas. These programs include the International Science and Technology Centers, Initiatives for Proliferation Prevention, Chem/Bio Redirect, Nuclear Cities Initiative, and the Cooperative Research and Development Foundation (which is independent of the U.S. Government, but receives State Department funds). These programs have been so successful that some of them are being used as models for similar efforts to redirect Iraqi and Libyan scientists. But the programs have rarely received budget increases from this administration, although Congress has sometimes increased their funding. Will you seek greater funds for these programs?

Answer. We have developed a strategic framework for Nonproliferation of Weapons of Mass Destruction Expertise (NWMDE) that is relevant to both mature programs in Russia and Eurasia and nascent programs in Iraq and Libya. The Nonproliferation and Disarmament Fund (NDF) will allow us to exploit unanticipated opportunities in Iraq and Libya in FY 2005. In FY 2006, we plan to sustain our engagement of former Soviet, Iraqi and Libyan WMD scientists within the Nonproliferation of WMD Expertise budget line.

IAEA Director General

The United States took a "principled stand" last year that nobody should be elected to a third term as IAEA Director General. No other country seems to have agreed with that stand, however, perhaps because previous IAEA Directors General have routinely served more than two terms. Nobody has filed to even challenge Dr. ElBaradei for that post, so it would appear that he will be re-elected.

Question. What does the United States gain by persisting in its opposition to Dr. ElBaradei's re-election, which is probably seen by other countries as based more on personal pique than on principle? Will you continue that approach in our non-proliferation policy, or will you inject more practicality into our policy?

Answer. For many years the United States and other major donors to the UN system have expressed the view that the heads of UN organizations serve only two terms. This is not a new approach and we reminded Dr. ElBaradei of this view at the beginning of his second term as IAEA Director General. From the U.S. perspective, Dr. ElBaradei has served with distinction. However we do see merit in predict-

able turnover at senior levels in international organizations that a two-term policy provides. If I am confirmed, I will look carefully at the views of other governments and take them into consideration as well as discuss this with other members of the IAEA Board as we move ahead.

Non-Proliferation Assistance Programs

Although the administration has voiced support for threat reduction and non-proliferation assistance programs in the States of the Former Soviet Union, these programs have suffered from recurrent crises and have too often failed to achieve the speed or universality of coverage that was envisioned for them.

Question (a). The issues of access to Russian sites and contractor liability protections have stalled new efforts in the MPC&A and plutonium disposition programs. Why have the U.S. and Russian bureaucracies been unable to make progress on these issues?

(b). Will you urge President Bush to engage directly, intensively, and in a sustained manner with President Putin to agree on solutions and give clear direction to the bureaucrats? Alternatively, would you recommend a new mechanism to develop U.S. Russian inter-agency decisions on these programs?

Answer. The administration strongly supports cooperative threat reduction efforts with Russia and will continue to work hard to resolve the challenges of liability and access to sensitive nuclear facilities.

On liability, if confirmed, I will continue to make Russian approval and ratification of the Cooperative Threat Reduction (CTR) umbrella agreement (as extended in 1999) a key priority and will seek to ensure the United States engages with Russia at the highest levels necessary to achieve this. Ratification would put ongoing CTR programs on a more solid footing.

It is our understanding, however, that CTR ratification will not resolve liability for any expanded or new nonproliferation assistance programs with Russia. This includes U.S. and G-8 efforts to convert excess Russian weapon-grade plutonium into forms not useable for weapons under the plutonium disposition program. The liability issue has hindered progress on this important project. The administration is actively reviewing ways of breaking the liability logjam with Russia—while protecting CTR programs—to remove this impediment to plutonium disposition and other cooperation. If confirmed, I will make every effort to resolve these issues as soon as possible.

On the issue of access to sensitive Russian nuclear facilities, we are continuing our efforts to address this effort with Moscow. We and the Russians have developed special procedures to provide access to these sensitive facilities and protect their nuclear secrets but have not been able to agree to implement them at some key remaining facilities. We have also recently provided unprecedented access to Russian officials to U.S. nuclear facilities to demonstrate openness and show them how we too are grappling with how to improve nuclear security. We will continue to press senior Russian officials on these issues to ensure that the security at all such nuclear facilities is increased to prevent terrorist access to these weapons.

We will want to resolve both CTR umbrella agreement ratification and these other matters in 2005, well before CTR comes up for extension again in 2006.

Nonproliferation (Global Pathogen Surveillance Act)

Since 2001, I have introduced legislation to authorize the State Department to lead an interagency effort to help other countries improve their pathogen surveillance capabilities—with particular emphasis on giving them the ability to spot an outbreak that might be man-made and to call in international resources to promptly investigate and respond to such an outbreak. The Senate passed that bill in 2002, and it was a title in the State Department authorization bills reported out by this committee in 2003 and 2004. In a world where natural diseases like SARS and avian flu threaten to cause world-wide epidemics, and where biotechnology gives our enemies increased ability to create “designer” diseases for use against us, don’t we need a major program to build up the world’s defenses against biological terrorism?

Question (a). Will you work with us to see that the Global Pathogen Surveillance Act is enacted?

(b). Do you agree that the State Department should take the lead in this area, or do you favor leaving that to the Departments of HHS or Defense?

Answer. We believe that the Global Pathogen Surveillance Act will indeed help strengthen developing countries’ abilities to identify and track pathogens that could be indicators of dangerous disease outbreaks—either naturally-occurring or delib-

erately-released. Improved disease surveillance and communication among nations are critical defenses against both bioterrorism and natural outbreaks. We look forward to working with you in support of the Global Pathogen Surveillance Act.

We believe that improving monitoring and reporting on infectious disease outbreaks globally sits at the very intersection of foreign policy, health, and national security concerns. As such, we agree that the Department of State should lead the activities articulated in the Global Pathogen Surveillance Act. The Department is already working to better coordinate and integrate the multiple U.S. initiatives on disease surveillance internationally, collaborating with the Departments of Health and Human Services, Defense, Homeland Security, Agriculture, and other federal agencies.

One of the true “nightmare” scenarios—of a bioterrorist attack or a naturally-occurring disease—involves a contagious biological agent moving swiftly through a crowded urban area of a densely populated developing nation. Thus, we believe that it is critical to increase efforts to strengthen the public health and scientific infrastructure necessary to identify and quickly respond to infectious disease outbreaks—and that the Global Pathogen Surveillance Act will provide valuable support in these efforts.

Proliferation Security Initiative

Several countries have joined the Proliferation Security Initiative, there have been many meetings and exercises, and the United States has signed boarding agreements with some major seafaring nations. But thus far there has been no interdiction that we know of that was clearly a PSI operation.

Question (a). What real-world interdiction capability does PSI give us, what are its operational objectives, and how will we know if it has been successful and worth the effort?

(b). What do you plan to do, if confirmed, to further the PSI?

Answer (a). An important measure of PSI’s success is the foundation it provides for states to work together. Over sixty countries support the PSI and dozens have participated in or observed PSI exercises. PSI is succeeding because of the international consensus that WMD proliferation is a threat to global peace and security. PSI is also succeeding because it is based on practical actions that make maximum use of each country’s strength in countering proliferation. The real-world capability consists of partnerships being forged, contacts being made, and operational readiness established, all of which helps create a lasting basis for cooperative action against proliferation.

The PSI Operational Experts have overseen fourteen interdiction training exercises and currently have 15 sea, air, and land exercises scheduled for 2005/6 with additional regional exercises in the planning stages. These have significantly improved the interoperability of PSI participants and contribute directly to our ability to work cooperatively to interdict shipments of WMD, their delivery systems and related materials at sea. PSI exercises also send a strong deterrent signal to those who would engage in proliferation trafficking because they could be stopped, caught and held responsible for their activities. These operational gains and deterrent benefits are already worth the effort.

(b). In 2005, we will work to build on our successes. We will seek to put smooth, effective communication and operational procedures in place to interdict shipments and we will seek to use them; we will learn more about how proliferators behave; we will devise new strategies to shut down this deadly trade; and we will reach out to industry to intensify cooperation. In all, we will make it far more difficult and costly for those who engage in WMD trafficking to continue their dangerous work.

Public Diplomacy: Decline in Support for U.S. Foreign Policy

Public opinion polls abroad reflect a significant decline in support for the United States and U.S. foreign policy. For example, the “Global Attitudes Survey” in March 2004 by the Pew organization found that the percentage of people that had favorable views of the United States were just 37% in France and 38% in Germany, and much lower percentages in key countries with Islamic majorities, such as Jordan (5%), Pakistan (21%) and Turkey (30%). In the same survey, Osama bin Laden had higher favorability ratings in Pakistan (65%) and Jordan (55%).

Question. To what do you attribute this decline in support for the United States in foreign countries and the significant support for bin Laden in some key Muslim countries?

Answer. Although polling can be useful in providing insights into some aspects of public opinion, it is easy to put too much stock in polls. Even polls which gain the most attention as apparently revealing a very negative picture of America's standing abroad show a much more complex picture with many positive aspects when we dig more deeply into the details.

America's standing in the eyes of the world is, of course, important. We must do all we can through active public diplomacy to ensure that our policies and actions are understood and that we build sustainable relationships of mutual understanding with people and institutions in other countries.

Our goal is not popularity per se but increased understanding of American values, policies and initiatives to help create an international environment receptive to U.S. interests.

Public diplomacy is not the answer to all negative views others may hold of America. Our military, cultural and economic power, our pre-eminent position in the world can create negative reactions. In some cases, policies which we pursue as necessary for our national interest, are unpopular. We cannot forego necessary policies for the sake of international public opinion, but we can extend every effort to create understanding and acceptance if not active support.

Any support for Osama bin Ladin is disturbing in that it indicates a great lack of understanding of the threat he poses to international stability and security. One of the primary challenges for public diplomacy is to break the myth of Osama bin Ladin where it exists and support the voices of tolerance opposed to the regressive fanaticism Osama bin Ladin represents.

Public Diplomacy: Measuring Public Diplomacy Efforts

Question. What measures do you think are necessary to improve U.S. public diplomacy efforts?

Answer. The improvement of our Public Diplomacy efforts will be a very high priority for me. We must improve coordination of public diplomacy strategy and activities within the Department and interagency. Within State, the Under Secretary must serve as a full advisor to the Secretary on all aspects of foreign policy, ensuring that all policy initiatives have a strategic communications component and that public diplomacy resources are deployed in support of those policy objectives. This is done now; we can do better.

We must strengthen the position of the Under Secretary. In particular, we must strengthen the effective relationship between the Under Secretary and our embassies and consulates, which shape and carry out public diplomacy for maximum impact in the field.

We have interagency mechanisms which can be used to strengthen public diplomacy. In particular the Policy Coordinating Committee process can be developed more fully in the public diplomacy context.

We must transform the conduct of diplomacy by demonstrating through action and awareness that every major strategy, policy or diplomatic initiative must have public support in order to succeed. This requires better institutional understanding of the promise of public diplomacy within the Department and foreign affairs community, promoted through vigorous outreach on the part of public diplomacy practitioners, from the Under Secretary on down.

To communicate with a skeptical world, the United States must exploit its technological edge and vastly expand its international media presence. It must build on successful exchange programs and expand face-to-face contact. Certainly greater cooperation and coordination with private sector outreach efforts will extend the reach of the American people, but we cannot rely on the private sector to carry the government's policy messages.

Additionally, public diplomacy must continue to develop meaningful methods of evaluating its performance. This will require the development of honest performance indicators, the proliferation of a culture of measurement among public diplomacy practitioners, and the professional staff to analyze results.

Public Diplomacy: Role of DoD

There have been press reports that the Department of Defense is seeking to take a leading role within the government on public diplomacy, and undertaking disinformation campaigns abroad (e.g., "Pentagon Weighs Use of Deception in Broad Arena," *The New York Times*, Dec. 13, 2004).

Question (a). Do you believe that the State Department should have the lead role in this area? Should the Defense Department have a significant role in this area?

(b). Should the Department of Defense—outside the context of the battlefield—engage in disinformation campaigns?

Answer (a). The State Department is charged with conducting the foreign relations of the United States, and public diplomacy falls squarely within this responsibility. With a continued, consistent presence worldwide and an already established infrastructure through our missions abroad, the Department of State is best equipped to advise on how to engage, inform, and influence foreign publics most effectively. We have a broad range of tested programs to do so, as well as a corps of creative public diplomacy professionals who are not afraid to innovate. State has strengthened its capacity to lead by establishing an office of policy, planning, and resources under the Under Secretary for Public Diplomacy and Public Affairs.

Other departments and agencies, including DOD, also make valuable contributions to public diplomacy. An example is the high-visibility role played by the U.S. military in delivering relief to the victims of the Indian Ocean tsunami. State and the NSC co-chair a policy coordinating committee on Muslim World Outreach that includes Defense and several other agencies in an effective process of collaboration, an interagency model that can be applied to other tasks. Since shortly after 9/11, State has maintained a working-level fusion team, with DOD participation that manages State-DOD collaboration on strategic communication on a daily basis.

If confirmed, I will be open to good ideas and the improvement of our Public Diplomacy efforts will be a very high priority for me.

(b). Truth is our greatest public affairs weapon and the Department of State will not ever seek to influence the media or others with lies or half-truths. I would argue strenuously against others in the U.S. Government using disinformation tactics. Deliberate deceptions and falsehoods can seriously undermine the credibility of the U.S. Government and irreparably harm our foreign policy and our national security. The credibility of the United States is too valuable an asset to risk for a momentary advantage.

Memos on Geneva Conventions and Torture Convention: Torture Convention/Interrogation Memo

A Justice Department opinion memorandum on the Torture Convention and interrogation, issued August 1, 2002 (and then superseded last month) was reportedly vetted by lawyers from the National Security Council before being finalized [Washington Post, *June 27, 2004*].

Question (a). Were NSC lawyers involved in reviewing the document? Did you have a role in reviewing the document, or in supervising the NSC legal staff? Please elaborate.

(b). The Department of State was not involved in the preparation of this memorandum, and in fact were unaware of it until it was reported in the press. As Secretary, will you work to ensure that State Department lawyers are involved in any legal review of issues relating to treaty obligations?

Answer. The President has repeatedly made clear that the United States stands against and will not tolerate torture. The President has also made clear that American personnel are required to comply with all U.S. laws, including the United States Constitution, Federal statutes, including statutes prohibiting torture, and our treaty obligations with respect to the treatment of all detainees. Interrogation policies of U.S. government departments and agencies have been carefully vetted by the Department of Justice to ensure that they comply with this mandate.

I have been advised that a copy of the draft opinion on the Torture Convention and torture statute was made available to the Legal Adviser to the National Security Council before it was finalized. I was not involved in reviewing the draft opinion, although our Legal Adviser advised me that the Office of Legal Counsel was preparing analyses of laws applicable to interrogation of detainees to ensure that we comply with those laws.

Yes, if confirmed, intend to work to ensure that State Department lawyers are involved in any legal review of issues relating to treaty obligations.

Memos on Geneva Conventions and Torture Convention: Geneva Conventions

According to President Bush's directive of February 7, 2002, Taliban prisoners taken in Afghanistan are denied the protections of the Geneva Conventions.

Question. Were you involved in the consideration of this directive? Please elaborate.

Answer. I was involved in the process by which the President made the decisions reflected in his February 7, 2002 directive concerning humane treatment of al

Qaeda and Taliban detainees. Although the Attorney General and other senior lawyers within the administration took the lead on the legal question concerning application of the Geneva Conventions, I was involved in meetings where both the legal and policy issues were discussed.

In his directive, the President decided that, as a policy matter, the Department of Defense will treat all Taliban and Al-Qaida detainees humanely and, to the extent appropriate and consistent with military necessity, in a manner consistent with the principles of the Geneva Convention.

Role as Secretary of State

Question. What are your top five foreign policy priorities?

Answer. The United States is a global power which does not have the luxury of maintaining a single focus on just a few foreign policy issues. We have several opportunities and imperatives which we must address simultaneously.

A guiding principle of our foreign policy is the promotion of democracy. The spread of freedom is the single greatest factor behind the spread of peace and prosperity in the world, and thus also the greatest long-term guarantee of the safety and well-being of the United States.

We must remain focused on winning the war on terrorism. This means continuing and winning the fight against al-Qaida and other jihadist groups.

But it also means supporting the development of a different kind of Broader Middle East—one that is built on the foundations of freedom and democracy, and opportunity for all people in the region. A democratic and secure Iraq, as well as a democratic and secure Afghanistan, will contribute to the transformation of this wider region. We are committed to continuing to work with the Afghan and Iraqi governments to this end. And we are committed to supporting freedom and reform throughout the Broader Middle East, a process launched by President Bush and G8 leaders at the Sea Island Summit, strengthening through the Forum for the Future meeting held in December 2004 in Morocco, and continuing, with the next meeting set for 2005 in Bahrain. And we are determined to working as hard as we can to achieve the President's vision of Israel and a democratic Palestinian state living side-by-side in peace and security.

We are also focused on the need to prevent and, where necessary, counter the spread of weapons of mass destruction, in Iran, in the Broader Middle East, in North Korea and elsewhere.

Our efforts to promote freedom and democracy are not limited to the Broader Middle East. We are pleased to see the will of the Ukrainian people reflected democratically in the election of a new President; the strengthening of democracy in Russia will be critical to the pace and extent of our ability to develop a strategic partnership with that country.

We continue our efforts to promote and strengthen democracy, opportunity, prosperity, trade and hope in Latin America. And, of course, the relationships with our neighbors, Canada, Mexico and the states of the Caribbean, are critical for freedom, prosperity, and security for ourselves and our hemisphere.

In Asia, we will strengthen our sound alliances with Japan, South Korea, and Australia, as well as those in Southeast Asia, while working to promote a positive and constructive role for a transforming and increasingly powerful China.

We have strengthened our ties with India and that will continue because the world's two largest democracies should have strong relations. Similarly, other increasingly influential democracies, such as South Africa and Brazil, must be a part of our vision for the future.

Under President Bush's leadership, we have strengthened our support for democracy, development, good governance, and peace on the African continent. We will continue to lead the fight against poverty and disease, and to strengthen institutions that will guarantee freedom, opportunity, human rights, and justice for a new generation of Africans.

In all of these areas, we will work together with our allies and friends in Europe, especially through NATO and the European Union. The United States and Europe share common values, common history, and common goals. We must therefore meet together the common challenges we face at the dawn of the 21st century. As President Bush has said, "the world is better off, America is better off, Europe is better off when we work together."

In Europe, in Asia, in Africa, the Americas, and the Broader Middle East, we seek to mobilize and lead the efforts of all free nations, while maintaining strategic relationships with other global powers, all in the interest of strengthening a balance of power that favors freedom.

Middle East Peace Process

Question. I understand that when the Jordanian government first proposed the idea of the Road Map, you stated that the administration could not support it. The President later agreed with the concept. Please explain the rationale behind your initial position.

Answer. When the concept of the roadmap was first raised, we reacted positively, not negatively. But we could not support a plan that lacked phasing, had a strict calendar, or was not performance based, and it was clear that stopping terrorism had to be an immediate goal in any such document. That is what we sought, and we engaged in, intensive negotiations in the Quarter to produce a document that met these goals.

The President's Personal Representative

In June 2003, the President designated you as his personal representative to the peace process.

Question (a). What specific actions did you take in your capacity as the President's personal representative?

(b). During Abu Mazen's tenure as Prime Minister, did the United States, the international community, and the Israelis do enough to support him? What steps did you take to bolster him? After Abu Mazen's departure, what steps did you take to try to revive peace efforts?

Answer. The President designated Secretary Powell and me to work together. And we did. Both of us made trips to the region, both of us met—often together, in my office—with literally dozens of European, Arab, Israeli, and Palestinian officials. We continued the hard work of diplomacy as we moved first into a hopeful period after Aqaba, then quickly into a longer period where Arafat blocked progress. Many of the meetings I held were efforts to get things moving again despite the roadblocks. We also helped to mobilize international assistance to support Palestinian reform. As part of this effort, we provided \$20 million in direct budget assistance to the Palestinian Authority, whose Finance Ministry under Salam Fayyad managed, despite Arafat, to attain a level of fiscal transparency and accountability that was heralded and recognized internationally. As part of this effort, we appointed Ambassador John Wolf to serve as the head of a United States monitoring mission to monitor the parties' compliance with the Roadmap. Our efforts helped produce an agreement between the two sides by which Israel withdrew its military forces from roads and population centers in Gaza and Bethlehem. Indeed, the Israelis were about to withdraw from more population in the West Bank when significant Palestinian terrorists actions were perpetrated, undermining their efforts.

It was the pressure from the United States, and our Quartet partners, that led to the creation of the position of Prime Minister to begin with. When Abu Mazen was appointed, we put together the Sharm el Sheik and Aqaba summits in June 2003 to bolster him and add to the forward momentum. We then hosted him at the White House in August. As you know, he was soon thereafter in essence fired by Arafat. After his departure, Secretary Powell and I pressed very hard to work around Arafat, but it became evident to everyone in the Quartet that unless and until the PA firmly broke with terrorism, and had new leadership, forward movement was unlikely.

Iran

The United Kingdom, France and Germany—known as the EU-3—have been engaged in negotiations with Iran to explore the chances of getting Iran to extend indefinitely its suspension of uranium enrichment and reprocessing activities and to drop its program to construct a heavy water-moderated research reactor that could be used for plutonium production. Many believe that such an agreement cannot be achieved unless the United States becomes part of the solution, so that Iran could receive security and other benefits that only the United States can provide in return for giving up its nuclear weapons ambitions.

Question (a). Do you believe the EU-3 effort can succeed, and if so, what role should the United States play? What specific benefits might the United States put on the table? If you believe the EU-3 effort is likely to fail, what alternatives do you suggest for U.S. policy?

(b). The administration has called on the IAEA Board of Governors to refer Iran to the UN Security Council for its nuclear activities. What specific action do you believe the Security Council should take? Have you developed any plans for a phased

initiation of sanctions? Can anything short of sanctions on Iran's sale of oil get Tehran's attention?

(c). Russia plays a critical role as chief supplier of nuclear technology and fuel to Iran and has also been one of Iran's advocates at the IAEA. How will you convince Russia to join the U.S. and EU effort to terminate Iran's fuel cycle program?

Answer (a). Whether or not the EU-3 initiative can succeed depends on whether or not Iran is willing to step away from its nuclear weapons ambitions. So far, we have seen no indication that Tehran is willing to do so. The United States shares with the United Kingdom, France, and Germany (the EU-3), with the rest of the EU, and with many others on the IAEA Board of Governors and in the international community, strong concerns about Iran's long record of clandestine nuclear activities and Iran's systematic violation for almost two decades of its NPT-required IAEA Safeguards Agreement. We share with the EU3 and others the view that Iran must permanently and verifiably end all of its efforts to develop fissile material production if it hopes to build international confidence that it has abandoned the pursuit of a nuclear weapons capability. It is our understanding that the EU3's goal in its ongoing dialogue with Iran is to secure Iranian agreement to such full cessation of its sensitive nuclear fuel cycle pursuits.

However, we have seen no evidence suggesting Iran's leadership has made a strategic decision to abandon its nuclear weapons program, and we remain skeptical of Iran's intentions to implement fully the terms of its November 14, 2004 suspension agreement with the EU3. Indeed, Iran's leaders have publicly admitted that they have no intention of ending their enrichment program, and Iran most recently followed-through on its stated intention by rushing to convert 37 tons of natural uranium yellowcake at the Esfahan Uranium Conversion Facility. The United States government is not a party to the EU3's ongoing dialogue with Iran. We believe that additional bilateral and multilateral pressure, including reporting Iran's noncompliance to the UN Security Council, will be required to persuade Iran's leadership to end its sensitive nuclear fuel cycle pursuits. We will continue to consult with our friends and allies toward this end.

(b). Once the IAEA Board of Governors reports Iran's safeguards noncompliance to the UN Security Council (UNSC), as is required under the IAEA Statute, we believe there will be a range of options available to the Council. The UNSC has the legal authority to require Iran, for example, to stop its dangerous, unnecessary pursuit of the capability to produce fissile material for nuclear weapons. We continue to consult other Council members regarding how the UNSC might address Iran's nuclear activities, which we consider to be a growing threat to international peace and security. We believe that UNSC involvement on this issue would help change the Iranian leadership's calculations regarding the costs to Iran of continuing to pursue its nuclear weapons program.

(c). The United States has for several years raised the Iran nuclear issue actively and at high levels with Russia, and we will continue to do so. We have engaged Russia both bilaterally and multilaterally, including at the IAEA Board and within the G-8. Russia has already joined us in calling on Iran to accept and implement a full moratorium on all sensitive nuclear fuel cycle efforts. We believe Russia shares our profound concerns at the prospect of a nuclear weapons-capable Iran, and Russia agrees with us that the international community must do all it can to prevent Iran from acquiring that capability.

Arms Control Reorganization

We understand that Secretary Powell intends to propose the merger of the Bureau for Arms Control (AC) with the Bureau for Nonproliferation (NP), and to notify Congress of this action just before your nomination hearing. Such a reorganization would clearly constitute a reprogramming request under current law, and you would be responsible, if confirmed promptly after the hearings, both for obtaining the assent of congressional committees and for implementing the reorganization.

Question (a). Do you support the merger of the AC and NP bureaus? If so, why?

(b). How would the AC and NP bureaus be merged without sending the world a message (whether intentionally or not) that the administration is renouncing Arms Control as a tool of U.S. foreign policy?

(c). How would the AC and NP bureaus be merged without diverting the attention of the Assistant Secretary for Nonproliferation from the difficult, day-to-day worldwide diplomacy involved in stemming sales of suspect materials and technology around the world to the more glamorous world of international treaty negotiations?

(d). Will you commit to close consultation with this committee as you move forward with any reorganization?

Answer (a). I support the merger of the Arms Control and Nonproliferation Bureaus as part of the Bush administration's strategy to fine tune the State Department's international security units to better address the challenges of the post-9/11 world. This merger recommendation by the Department of State Inspector General was endorsed by Secretary Powell, Deputy Secretary of State Richard Armitage, and Under Secretary of State for Arms Control and International Security John Bolton.

If confirmed, I am committed to ensuring the AC/NP merger best utilizes these bureaus' talented officers while improving efficiency. A State Department task force headed by Human Resources experts has been working on the reorganization since last September. I have been briefed on their work and I believe that new bureau will be an asset to U.S. foreign policy.

(b). Per the recommendations of the State IG Inspection Reports of the AC and NP bureaus, this is a merger of equals. The Bush administration will remain committed to pressing all states to honor their arms control treaty obligations through the new bureau, especially the Nuclear Nonproliferation Treaty, the Biological Weapons Convention, and the Chemical Weapons Convention.

(c). The State Department panel overseeing the AC-NP merger has worked to devise a structure for the new bureau that provides adequate coverage for all of its responsibilities. Like the current AC and NP bureaus, the merged bureau will retain special representatives and ambassadors who are responsible for treaty negotiations.

(d). If confirmed, I will stay in close contact with Congress about this reorganization and welcome this committee's questions and comments on it.

China and Nonproliferation

You wrote in the *Wall Street Journal* in October 2003 that China has shown a "pattern of cooperation" in combating proliferation, yet the Bush administration sanctioned Chinese firms 37 times from June 21, 2001 through September 2003. The Assistant Secretary of State for Verification and Compliance said on July 24, 2003 that Chinese "entities are involved in too many sensitive transfers for the problem merely to be one of imperfect enforcement." The State Department has repeatedly sanctioned Chinese firms since the Fall of 2003, most recently imposing sanctions on four more Chinese firms in November 2004.

Question (a). Why did you praise China for a "pattern of cooperation" weeks after the State Department announced new sanctions on Chinese firms and complained about a pattern of violations? Has China's proliferation conduct improved since October 2003?

(b). What will you do as Secretary of State to end China's continuing pattern of proliferation of WMD technologies to countries such as Iran and North Korea?

Answer. Cooperating with the Chinese government on non-proliferation issues while sanctioning Chinese companies for actions taken which are in violation of our nonproliferation laws, including the Iran Nonproliferation Act of 2000, are not mutually exclusive actions. They are part of our overall effort to get China to play a more responsible role on non-proliferation. In the past 15 years, China has taken substantial steps to strengthen its nonproliferation policies, joining the IAEA and the Nuclear Suppliers Group, adhering to the Nuclear Nonproliferation Treaty, joining the Biological Weapons Convention, signing and ratifying the Chemical Weapons Convention, signing the Comprehensive Test Ban Treaty, and agreeing to work with the international community to ban production of fissile nuclear weapons material.

In 2002 the PRC promulgated a series of regulations restricting the export of missiles and missile-related technology; subsequently, the PRC promulgated regulations on dual-use chemical and biological items and technologies and joined with us in the Container Security Initiative. In December 2003, China incorporated these existing measures into a new comprehensive system of export control regulations that include counterterrorism and regional stability considerations in licensing decisions. I might note that these measures were implemented as we have been increasing the use of sanctions against Chinese entities. The point is that one shouldn't assume that sanctions and cooperative measures are inconsistent. In fact, they are two sides of the same coin, and Chinese nonproliferation cooperation improved after we imposed sanctions on Chinese entities that had apparently not gotten the message. More recently, China has been working closely with the U.S. and other nations in the Six-Party Talks to persuade North Korea to dismantle its nuclear program.

We will continue our extensive efforts to persuade China to effectively control exports, including the imposition of sanctions when warranted or when required by U.S. law. Through continuing dialogue and steps to impose costs upon proliferant entities where problems arise, we look forward to seeing China's pattern of cooperation improve even more in the future. In particular, we hope that China will improve implementation of export controls to the point that Chinese companies no longer engage in transfers that lead to the imposition of U.S. sanctions.

FMCT

In March 1995, the Conference on Disarmament agreed to negotiate, in the words of the Shannon mandate, "a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices." In September 2004, after a lengthy review, the United States declared in Geneva its view that effective verification of an FMCT is not achievable.

Question (a). If confirmed, will you push for negotiation of an FMCT without any verification provisions whatsoever, or might it be possible to agree on some measures that would be imperfect, but would not harm our national security?

(b). Will you call for revising the Shannon mandate (which could well be difficult to achieve because the Conference on Disarmament operates on the basis of consensus), or will the administration be willing to begin negotiations under the Shannon mandate, while adhering to its stand that verification measures might do more harm than good?

Answer. The United States announced the results of its review of FMCT in July, reaffirming our commitment to negotiation in the CD of a treaty to ban the production of fissile material for nuclear weapons or other nuclear explosives. Noting that the United States has not produced fissile material for such purposes for over 15 years, our announcement also reaffirmed the U.S. moratorium on such production. At the same time, we noted our serious concerns that effective verification of an FMCT is not realistically achievable.

Because of these concerns, which we described in more detail at the end of August, we have told other interested states that including in the negotiators' mandate an *a priori* requirement that an FMCT be effectively verifiable would only set an unrealistic standard, making success impossible and blocking prospects for an agreement. Constructing an ineffective set of "verification" provisions could give false confidence about states' compliance with their obligations, while the difficulty of negotiating them would slow agreement on the basic FMCT prohibition. That legal prohibition on producing fissile material for weapons, the central element of any FMCT, would add an important further barrier to nuclear proliferation, one applying to both current and potential nuclear powers. To delay this achievement while arguing at length over provisions that would at best still not provide effective verification and at worst possibly damage other U.S. interests (e.g., risking disclosure of proliferation sensitive or national security information) is, in our view, counterproductive.

We have not made agreement on this view a condition for moving forward, but do not wish to reaffirm a position on verification we believe incorrect. We hope to achieve consensus in Geneva that negotiations on an FMCT should begin without any imposed prejudice.

NPT Review Conference

In May 2005, the States Party to the Treaty on the Nonproliferation of Nuclear Weapons will gather in New York for a five-year review of the Treaty. The 2000 Review Conference seemed poised for failure, with many countries focused on proliferation on the subcontinent, the seemingly slow progress on reductions by the five nuclear weapon states, and the typical effort by Middle East nations to draw attention to Israel's nuclear program. After lengthy negotiations, however, a consensus resolution was agreed. If the results of the 2004 Preparatory Committee meeting are any indication, this year's Review Conference promises to be equally, if not more, contentious and will require high-level, careful and focused U.S. leadership to prevent further erosion to the nonproliferation regime. Secretaries Christopher and Albright led the U.S. delegations to the 1995 and 2000 Review Conferences, respectively.

Question (a). Will you lead the U.S. delegation at the May review conference?

(b). What are we doing now to ensure that the NPT Review Conference is successful?

Answer (a). The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) remains the foundation of the nuclear nonproliferation regime and is vital to U.S. and international security interests. Review conferences are important benchmarks in the life of the NPT. The 2005 Review Conference (RevCon) promises to be particularly important, given the many challenges the Treaty faces. Our principal focus at the RevCon will be on nonproliferation noncompliance, citing Iran and North Korea as current challenges. We will urge others to recognize the gravity of noncompliance with the Treaty's nonproliferation obligations, press all states to insist on full compliance by all Parties, and move to strengthen collective tools against proliferation.

If I am confirmed, I plan to remain closely involved as the administration completes its preparations for the RevCon. While the administration has not yet determined who will head the United States Delegation in New York, you may be certain that the President's eventual designee will enjoy his full confidence and provide the necessary leadership to promote effectively the nonproliferation objectives of the United States at the RevCon.

(b). The U.S. aim for the 2005 Review Conference (RevCon) is an outcome that strengthens the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Our priority is the challenge to the NPT posed by non-nuclear-weapon state noncompliance with their NPT nonproliferation obligations. The RevCon can reaffirm the NPT's contribution to international security, the need for strict compliance with all its provisions, the need for parties promptly and firmly to address cases of non-compliance, and the need to strengthen the Treaty to avert future cases of non-compliance. The proposals to strengthen the international nonproliferation regime that the President outlined in his address to the National Defense University (NDU) last February will be at the core of the initiatives that the United States will pursue at the RevCon.

In addition to noncompliance, the RevCon should also consider the threat to international security posed by non-state actor interest in acquiring nuclear weapons and non-state actor involvement in trafficking in nuclear materials, technology, and equipment. We will pursue support for the President's NDU proposals to address these challenges from noncompliance and proliferation involving non-state actors. Among the key tools in addition to restraint on enrichment and reprocessing are the universality of the Additional Protocol, aggressive pursuit of the Proliferation Security Initiative, implementation of United Nations Security Council Resolution 1540, and expansion of the Global Partnership.

In the spirit of promoting full compliance with all of the provisions of the Treaty, the United States also intends to demonstrate its strong record of achievement in nuclear disarmament efforts in conjunction with NPT Article VI.

The State Department leads a strong interagency team, which meets regularly to discuss, refine, and determine ways to advance these NPT policy positions at the upcoming RevCon. The United States routinely consults before, during, and after each review process meeting with key NPT Parties, particularly U.S. allies, with the leadership of the various Preparatory Committee meetings and RevCons, with officials in the UN Secretariat, and with the relevant non-governmental organizations. United States officials also conduct frequent travel abroad to consult with foreign governments, and to represent the United States at international workshops, conferences, and seminars to advance U.S. policy positions and learn the policy priorities of other NPT Parties.

RESPONSES TO QUESTIONS FOR THE RECORD SUBMITTED BY
SENATOR RUSSELL D. FEINGOLD

Non-Proliferation

Question. Developments in Iran have exposed problems in the Non-Proliferation Treaty regime that need to be addressed. Some have suggested that the U.S. work with others to reform the NPT, so that countries cannot legally go right to the brink of producing a nuclear weapon, making it a bit late for enforcement action once they finally do cross the line. Some have also proposed changing the regime so that countries that reject inspections or withdraw from the NPT without addressing previous infractions must dismantle their nuclear capabilities to come back into the fold, and one could achieve agreement that nations which the IAEA cannot find to be in full compliance should no longer receive any nuclear assistance from others. What is your view of such proposed reforms? Are you satisfied that the U.S. can effectively work with other members of the international community to address Iran's nuclear ambitions under the current nonproliferation regime?

Answer. President Bush and other world leaders have recognized the problems you mentioned and work is under way in several fora to address them. The Nuclear Non-Proliferation Treaty (NPT) is being tested as never before. Without stronger measures, confidence in the security benefits of the NPT could erode.

Certainly, the Additional Protocol is essential in verifying compliance, as it allows the International Atomic Energy Agency greater access to sites and to information and can give the international community more warning time. But of course much more is needed. Efforts to limit enrichment and reprocessing technology are critical or we could see more countries like Iran that exploit and violate the NPT to advance their nuclear weapons potential. Stronger export controls and the Proliferation Security Initiative can help to halt or interdict clandestine nuclear commerce.

Violations of the NPT and withdrawal from the Treaty to acquire nuclear weapons and avoid its consequences are serious threats to the NPT and should, at the very least, result in a cutoff of nuclear assistance to the state in question. The elimination of nuclear weapons programs in these states should be pursued relentlessly. These states must see that they face a dim future, and isolation from the international system, unless they abandon their nuclear weapon ambitions.

We will continue to work with our friends and allies—and the entire international community—to persuade Iran, in particular, to make the right choice, and to vigorously pursue the reforms necessary to improve enforcement of the NPT.

Human Resources Requirements in Africa

Question. After 12 years on the Subcommittee on African Affairs, I have traveled widely enough to know that understaffed embassies in Africa are more the norm than the exception. We have wonderful, capable, deeply committed Foreign Service officers working in Africa. I admire them and I am deeply grateful for their service. But they are too few in number—particularly when it comes to seasoned, expert people. Tiny embassy staffs are trying to cover huge, complex countries—too often without adequate effort or capacity to get out of the capital city. We have no permanent presence in northern Nigeria or eastern Congo, despite the fact that the stability of whole swathes of the continent can hinge on events in those areas. We have no permanent presence in Zanzibar or in Mombassa. We need more people on the ground. The 9/11 Commission points to parts of Africa, including the Horn and to West Africa as areas deserving of special focus. What steps are you prepared to take to match our personnel resources to our needs?

Answer. Engagement with Africa is very high among President Bush's foreign policy objectives, from resolving conflict in Sudan and the Great Lakes to fighting terrorism in the Horn and limiting spread of HIV/AIDS under the President's Emergency Plan for AIDS Relief (PEPFAR). We are promoting democracy, expanding trade and investment opportunities, and strengthening health care, environmental protection, and efforts against trafficking in arms, drugs, and people. We also face substantial new staffing requirements in Iraq and Afghanistan, and a number of other high priorities.

With the significant difficulties faced by our employees who serve in Africa, we continue to face challenges in meeting staffing needs, and the Department is making progress.

Through the Department's recent hiring efforts, we created 135 additional positions in our 48 posts in the Bureau of African Affairs¹ in FY 2002 to 2004, including those for consular and diplomatic security personnel, bringing the total number of State Dept. Foreign Service positions at the 48 African posts to 893 (an 18% increase). Even with the new positions, small to medium sized African posts often have little staffing depth and must be augmented by temporary personnel to cover gaps when staff members transfer or take annual leave. Additional positions are necessary to add depth and address future challenges.

Difficult living conditions at many posts make them a challenge to staff. Given the security situation, three posts in Africa currently do not allow any family members at post and another three allow only adult dependents, making the one or two year tours there particularly difficult for employees who are also being asked to staff other "unaccompanied" posts such as Baghdad and Kabul. Many of the African posts are among the hardest to fill because of concerns about security, health, education, and other hardship conditions. Thirty of forty-eight posts in the Bureau of African Affairs receive the highest hardship rating of 25 percent. Many of these places long ago hit the 25 percent ceiling for hardship differential (the compensation employees

¹Note that all figures regarding positions and posts in Africa do not include those for Egypt, Tunisia, Libya, Algeria and Morocco, which are part of the Department's Bureau of Near East Affairs, not the Bureau of African Affairs.

receive for the extraordinary hardship conditions at post). Due to the pay cut that non-senior Foreign Service employees take when serving overseas from the loss of locality pay, employees in many places like Abuja, East Timor, Guinea, and the Congo receive only 9% more pay than their colleagues in Washington (since their 25% hardship differential is off set by 16% locality pay in Washington), hardly a significant monetary incentive to serve there.

We are in the process of formulating career development plans, which will include both incentives and requirements for hardship service to ensure staffing at our most difficult posts.

Democratic Republic of Congo

Over 3.5 million people are thought to have died from war related causes in recent years in DRC. Countless others have been victims of brutal assaults and continue to live in fear. Yet despite the horrifying human costs of the conflict, despite the questionable efficacy and astronomically expensive nature of the peacekeeping mission on the ground, and despite the fact that the future of Congo has serious implications for the future of many African countries, the administration has not made stabilizing central Africa a priority.

Question. What steps will you take as Secretary of State to help create a context in which MONUC can succeed and the Congolese people can realistically hope for a better future?

Answer. MONUC remains one of the primary tools to achieve peace and stability in DRC. The United States will continue to work with the UN, specifically Special Representative Swing, to ensure maximum effectiveness of MONUC's activities within its current mandate and within the current authorized troop ceiling of 16,700. We are supportive of the recent increase to MONUC's authorized strength of 5,900 troops. As these new troops arrive in the region over the next two months they will be positioned in eastern Congo to directly address the issue of armed militias.

Since May of 2004, the United States has facilitated Tripartite talks between the governments of DRC, Rwanda, and Uganda. During these talks all three nations agreed that the greatest threats to Great Lakes stability are the armed militias that roam uninhibited throughout eastern Congo. The United States, in coordination with the UN Security Council, is discussing how to assist MONUC to meet fully and completely the various parts of its mandate, specifically the issue of support for DRC government efforts to disarm, demobilize and repatriate or resettle "negative forces" in eastern Congo.

Our direct diplomatic effort with the Tripartite Commission has been instrumental to keep communication open on all sides, so that differences can be aired between all nations of the Great Lakes region.

North Korea

Question. The last four years of U.S. policy toward North Korea have failed to address the threat posed by a nuclear-armed and potentially a proliferating North Korea. Is this administration prepared to tolerate a nuclear-armed North Korea? If not, what changes in policy will you pursue?

Answer. The United States is not prepared to tolerate a nuclear-armed North Korea. But the problem is not the United States or our policies. The problem is in North Korea. That said, we have succeeded in establishing a regional consensus that the Korean Peninsula must be nuclear free. We have continued to coordinate closely through the trilateral process with our allies, South Korea and Japan. We have established the first multilateral security forum in Northeast Asia, the Six-Party talks. All of the parties to the Six-Party Talks have agreed on the objective—a nuclear weapons-free Korean Peninsula. And the five parties at the first Plenary, in August 2003, all told North Korea very clearly that they will not accept North Korea's possessing nuclear arms.

We believe the Six-Party process offers the best opportunity to resolve this issue through peaceful, multilateral diplomacy.

The U.S. is working within that process to achieve the dismantlement of all North Korean nuclear programs in a permanent, thorough and transparent manner, subject to effective verification.

We have repeatedly made clear to the DPRK that the Six-Party forum is the way to end its international isolation, and that we and other parties are prepared to take corresponding measures as the DPRK dismantles its nuclear programs in an effective verifiable manner.

We met in New York in November and December with the North Korean Permanent Representative to the United Nations to make clear that we are ready to resume talks at an early date and without preconditions.

Our partners in the Six-Party Talks—Japan, the Republic of Korea, China and Russia—are also urging the DPRK to rejoin and participate seriously in the talks. We remain in close contact with them on this issue.

As the President has stated, the Six-Party process is the way forward. We and our Six-Party partners are keeping the focus on getting the talks going again, so that we can make real progress on the agreed objective. At the next round of talks, we will be prepared to give a detailed presentation on the proposal we tabled at the talks in June, and to respond to questions the DPRK may have as well as to raise concerns we have about their proposal.

Africa: Charles Taylor

Former Liberian President Charles Taylor continues to reside in Nigeria, despite the fact that he is wanted by the Special Court for Sierra Leone to stand trial for war crimes and crimes against humanity. As I understand it, it is the policy of the United States to support the Special Court.

Question. How will you work with the Nigerians, the Liberians, the Sierra Leonians and the Court itself to resolve this issue and ensure that Charles Taylor is held accountable for his crimes?

Answer. We strongly support the work of the Special Court for Sierra Leone and its efforts to bring to justice those who bear the greatest responsibility for serious violations of international humanitarian law. Ensuring accountability for these crimes will also contribute to reconciliation and to the restoration of peace in Sierra Leone and all of West Africa.

The administration and the Congress share a common goal of seeing Charles Taylor held accountable to face the charges pending against him. We must remember that by accepting Taylor, Nigeria saved hundreds, if not thousands of Liberian citizens who were determined to fight a civil war in Liberia while Taylor remained in power.

The United States is in frequent contact with the Governments of Nigeria and Liberia on the issue of Charles Taylor. We have made clear to Nigerian President Olusegun Obasanjo, Liberian Chairman Gyude Bryant and others that our mutual goal must be for Charles Taylor to appear before the Special Court for Sierra Leone and face the charges pending against him. We also continue to urge Nigeria at the highest levels to take steps to further contain and confine Taylor and eliminate his ability to endanger the peace both of our nations have worked so hard to establish. We have made clear to President Obasanjo, Liberian Chairman Bryant and others that our mutual goal must be for Charles Taylor to appear before the Special Court in Sierra Leone and face the charges pending against him. We will continue to work with them to ensure that this happens.

RESPONSES TO QUESTIONS FOR THE RECORD SUBMITTED BY
SENATOR BILL NELSON

Iraq

Question. From time to time there are whispers that the Iranian presence in Iraq is pervasive. What are your views on the role of the Iranians in Iraq? How widespread is their presence and how effective can they be in securing an Iraqi government they can influence? Without diplomatic relations with Iran, how effective can we be at competing with their wider influence?

Answer. We have made clear to Iran that we will oppose actions that undermine Iraq's stability. Senior officials of the Iraqi Interim Government (IIG) have publicly voiced their concerns about Iranian interference in Iraq. We have also made clear to Iran that we will oppose actions that undermine Iraq's stability. Our policy remains that we are willing to engage with Iran on specific issues of mutual concern, in an appropriate manner, if and when the President determines it is in our interest to do so. Iraq is clearly one of those issues.

Afghanistan

Question. The growing and pervasive threat of drug trafficking to the security and stability of Afghanistan is frightening and dangerous. We have ignored this problem for far too long and allowed the illicit opium economy to re-develop across the coun-

try. I am concerned that any reaction at this point will be a case of too little too late, particularly with such a small presence of American troops who are already focused on the task of capturing OBL and other Al Qaeda leaders. I noticed that the majority of the money being used for anti-narcotics programs in Afghanistan is from accounts controlled by the State Department. How will you effectively coordinate with DOD to ensure that these funds are spent properly and effectively? How will we effectively fight the cultivation of opium poppies without alienating the Afghan people, threatening support for their nascent government?

Answer. We have an important opportunity to leverage USG resources to support President Karzai's determination to rid Afghanistan of the scourge of illicit narcotics and we have developed a comprehensive USG counternarcotics plan.

We are also closely coordinating our efforts with the U.K. who are the lead international nation in the counternarcotic fight. The Afghans themselves will be the deciding factor in this war on drugs. They are determined to win this battle and we are ready to lend them a hand. Working closely together in Kabul, all USG agencies are focused on ensuring a coordinated, cost-effective and successful counter-narcotics effort. An Embassy Interagency Planning Group (EIPG), reporting to the Ambassador, facilitates coordination. General Barno, the commander of U.S. forces in Afghanistan, maintains an office with dedicated staff at Embassy Kabul that is literally steps from the Ambassador's office.

The Department's Bureau of International Narcotics and Law Enforcement (INL) is responsible for implementing the eradication component of the USG's five-part counternarcotics plan in Afghanistan, and plays a substantial role in coordinating and/or implementing the other four parts: public information, alternative livelihoods, law enforcement, and interdiction.

INL officers in Washington and Kabul work closely with the Department of Defense (DOD) and other agencies that are involved in Afghan counternarcotics, including USAID, Department of Agriculture, Drug Enforcement Agency, and Department of Justice, through regular discussions and communications. In Washington, substantial interagency coordination occurs through the Afghanistan Interagency Operations Group (AIOG), which meets several times a week. It is co-chaired by the State Department's Afghanistan Coordinator and an NSC senior staff member, and includes Defense and other interagency representatives. There are also periodic interagency meetings at more senior levels in Washington.

The Afghan Government understands that a nation based on the cultivation of opium poppy is not sustainable. As one of his first acts following his election, President Karzai made a dramatic call for the elimination of the illicit narcotics trade in Afghanistan, calling it a direct threat to the development of a stable, democratic society that respects human rights and the rule of law. We believe that the Afghan people and their government understand the need to address this problem quickly.

One of the key parts of our counternarcotics plan is an aggressive alternative livelihoods program, which will provide Afghans with short- and long-term sources of income to encourage their movement out of the poppy economy. Through employment, business and infrastructure creation, Afghans in affected areas will receive short-term cash for work as well as longer-term opportunities to produce, process, and sell marketable crops other than poppy. Alternative livelihoods programs will also assist the central government in working through its provincial ministry representatives and governors to bring legitimate government services to the major poppy-producing provinces.

Another component of our plan is a robust public information campaign in Afghanistan. Posters and radio messages in local languages are already informing the Afghan public of the danger and immorality of narcotics cultivation and trafficking, and President Karzai has been speaking out forcefully against the drug trade.

The Department looks forward to continued close consultation and cooperation with Congress as we support the Afghan Government's fight against poppies. We appreciate your continued support for the resources necessary to implement programs for all parts of our counternarcotics plan.

North Korea

Question. What have we accomplished with our North Korea Policy over the past four years? Kim Jong Il remains in power and his people continue to suffer an arduous daily existence. We believe that he increased the number of nuclear weapons in his arsenal and the six-party talks occur in fits and starts. Keeping in mind the events of the past four years, how are we going to alter this policy moving forward?

Answer. North Korea has for decades pursued a nuclear weapons program, which threatens the entire East Asia region and the integrity of the global nuclear non-proliferation regime. The President has repeatedly made it clear he seeks a peaceful

diplomatic resolution to the North Korea nuclear issue. The United States has adhered to three basic principles to achieve that outcome. First, we seek the dismantlement of all DPRK nuclear programs in a permanent, thorough and transparent manner, subject to international verification. We cannot accept another partial solution that does not deal with the entirety of the problem, allowing North Korea to threaten others continually with a revival of its nuclear program. Second, because North Korea's nuclear weapons threaten the international community, multilateral diplomacy is the best approach to resolving the issue. Third, we will not reward North Korea for coming back into compliance with their international obligations. To do so would only incentivize their bad behavior, and would send exactly the wrong signal to other rogue regimes.

In April 2003, we held a round of trilateral discussions in Beijing, with China and the DPRK. We made clear future talks would need to include the ROK and Japan, and we welcomed the participation of Russia as well.

The Six-Party Talks were launched in August 2003, with China as host. The five parties all told North Korea very clearly in plenary session that they will not accept North Korea's possessing nuclear arms.

At the Second Round of talks, in February 2004, the parties agreed to regularize the talks, and to establish a working group to set issues up for resolution at the plenary meetings. The ROK offered fuel aid to the DPRK, if there were a comprehensive and verifiable halt of its nuclear programs as a first step toward complete nuclear dismantlement, and other non-U.S. parties subsequently expressed a willingness to do so as well. Also subsequent to the Second Round of talks, two sessions of the Working Group were held, running two to three days each.

The United States tabled a comprehensive proposal to North Korea at the Third Round of Talks, in June 2004. The ROK and DPRK also tabled proposals. The U.S. met directly with all of the parties over the course of the talks, and held a two-and-a-half-hour discussion with the DPRK delegation. We signaled our willingness to respond to any questions about our proposal the DPRK might have, and have indicated that we have a number of questions for the DPRK about its proposal.

Despite the agreement of all six parties in June to resume talks by end-September, and the willingness of five parties to hold to that commitment, the DPRK has not yet agreed to return to the table.

North Korea's rhetoric notwithstanding, the U.S. leadership has said repeatedly that we have no intention of attacking or invading the DPRK. If the DPRK is prepared to give up its nuclear weapons ambitions, the U.S. remains ready, as we sought to convey in the third round of the Six-Party Talks in June, to work in the context of the Talks to resolve the issues between us.

Diplomatic contacts among the Six Parties are continuing. We met with the North Koreans in New York twice late last year, and made clear we remain ready to resume the talks at an early date, without preconditions, and asked that they return to the table. We have also met with our partners in the talks, in Seoul, Tokyo and Beijing. All of us agree that the Six-Party process is the way forward and that the only acceptable outcome is the complete, verifiable and irreversible dismantlement of all nuclear programs in North Korea.

The door is open for the DPRK, by addressing the concerns of the international community, to vastly improve the lives of its people, enhance its own security, normalize its relations with the U.S. and others, and raise its stature in the world. The United States, working with our allies and others, remains committed to resolving the nuclear issue through peaceful diplomatic means. We have laid out the path to a peaceful resolution of the nuclear issue. The only thing that is missing is a strategic decision by Pyongyang to recognize that its WMD programs make it less, not more secure and to negotiate in earnest.

Haiti

Question. Haiti remains a country teetering on the edge of disaster. A small contingent of peacekeeping troops is all that prevents Haiti from once again descending into chaos. Bearing this in mind, why is the UN peacekeeping mission in Haiti still undermanned seven months after its initial authorization by the UN Security Council? Haiti is short 1,910 military personnel out of a total authorization of 6,700 and 352 short of a total authorization of 1,622 for civilian police. In other words, the military personnel are only at 70% strength and civilian police only stand at 78%. Do you find this acceptable? What are the specific steps that will be taken to rectify this situation, recruiting the necessary forces and ensuring that they are effectively supported on the ground?

Answer. The UN Stabilization Force in Haiti (MINUSTAH) now has 6,334 of the 6,700 troops and 1,398 of the 1,622 civilian police authorized by the Security Coun-

cil. We continue to work with the UN Department of Peacekeeping Operations to ensure that additional and appropriate police and troop personnel are assigned to Haiti.

The Brazilian-led UN Mission has begun to establish a presence in the hardest-hit areas of Port au Prince. Security remains a major challenge and we fully support the UN in its job of providing security and training and vetting new and existing HNP so the Haitians can take responsibility for their own security. To that end, we have provided 25 US CIVPOL to the MINUSTAH mission, and are providing over \$6 million in bilateral support to build the capacity of the HNP.

Question. What specific countries were contacted by our government to encourage their participation in this mission? Are you satisfied that the U.S. has contacted an appropriate number of countries to encourage and support their participation in the UN peacekeeping mission in Haiti?

Answer. The United Nations has the primary responsibility to request that Member States contribute forces and personnel to UN peacekeeping operations. Working closely with the UN Department of Peacekeeping Operations, the U.S. separately contacted Jordan, Brazil, Argentina, Nepal, Uruguay, Canada, France, Italy, Chile, Peru, Honduras, El Salvador, Guatemala, Ecuador, the Philippines, and Paraguay to encourage their participation in the UN Stabilization Mission in Haiti (MINUSTAH).

We are satisfied that we contacted the appropriate number of countries that we believed would participate. MINUSTAH's force level is now close to the maximum authorized strength of 6,700.

Question. The tragic storms and subsequent flooding in Gonaives resulted in a terrible loss of life and subsequent dislocation for many Haitians. What was the U.S. commitment to supporting the rehabilitation of these communities? What is our current commitment? Are you satisfied with results that have been achieved in recuperating these communities?

Answer. We have made \$46 million in assistance, including \$38 million from the supplemental appropriation, available for the rehabilitation of areas affected by flooding during Tropical Storm Jeanne. We greatly appreciate the bipartisan support we received from Congress to assist the Haitian people recover from this disaster.

We have signed contracts for rehabilitation of irrigation systems, hillside stabilization, road repair, and other infrastructure projects. Over 5,000 Haitians are employed by USAID's Office of Foreign Disaster Assistance in a clean-up program that has removed 15,300 cubic meters of mud from the city of Gonaives. Food is being provided to approximately 80,000 people and we have repaired ten pumps that are being used for irrigation and drinking water. Silt is being removed from the primary canals to further increase water availability and ten tons of bean seeds have been distributed to farmers.

We have made a long-term commitment to the affected area and are focused not only on repairing the damage, but the environmental causes for the flooding.

Question. What is the goal of U.S. policy towards Haiti? I suggest that it is long-term support to establish a stable democratic government that guarantees the security and economic well-being of its people. But U.S. policy over the last several years was a series of fits and starts, which has not fostered the profound changes that can be achieved through a deep and steadfast commitment. What are the specific steps as Secretary of State that you will take to ensure that we create a stable and safe Haiti?

Answer. Our goals in Haiti are to give the Haitian people the tools they need to create a democratic government, stable institutions and a viable economy. To achieve this, the international community and we are first working to stabilize the security situation. This is accomplished through the UN Stabilization Mission, which along with the Haitian National Police has primary responsibility for security, and through the promotion of economic growth and the development of sound political institutions. Elections this fall will be vital to the establishment of a democratic government that, with broad popular support, can build on the momentum of the Interim Government to address the vast social and economic challenges Haiti faces. One of the lessons learned from prior interventions in Haiti is the need to proceed steadily and for the long haul, which the UN and we are prepared to do.

Haitians face serious and daunting challenges to establishing a viable democracy and the rule of law. Haitians are the first to concede their history has been too often characterized by violence, authoritarianism and criminality. Former President

Aristide's administration sadly followed that model. The Interim Government of Haiti has begun the process of establishing the rule of law to give the Haitian people the quality government they deserve. Aristide's lawful resignation and departure opens the door for this in the first time in a decade.

The job of building Haitian democracy is up to Haitians themselves, but the U.S. and the international community can and will help them build viable institutions and institute good governance.

Question. Why has the administration not come out in support of the HERO act introduced by my colleague Senator DeWine? This legislation provides Haiti with economic advantages that would attract industry and create jobs for the Haitian people. We must restore a sense of hope to the Haitian people. This legislation offers only the first small step in that direction. But it appears that the administration is not even committed to this step, casting our overall commitment into question.

Answer. We strongly support the people of Haiti. We continue our efforts to help the Interim Government to build a more prosperous economy. Clearly, Haiti's economic development is in the U.S. interest. Creating economic opportunity in Haiti will make Haitians less dependent on foreign assistance for survival. It will help deter illegal migration and provide alternatives to drug smuggling as a source of income. It will increase the government's revenue base and the country's overall stability.

The United States has taken broad steps to assist Haiti, including a pledge of \$230 million at the World Bank Donors' Conference, which included \$22 million to support economic growth and job creation. While the Senate passed the HERO legislation in the last Congress, the House took no action and the administration has not taken a position on the HERO legislation. If confirmed, I want to work with the Congress to fashion legislation that will find the right balance between job growth in Haiti and maintaining jobs here at home.

Colombia

Question. Please provide an update on the status of the three American hostages, Marc Gonsalves, Thomas Howes, and Keith Stansell, held by the FARC in Colombia. How regularly are their families contacted and updated on the situation? I want to ensure that you will personally raise this issue at every opportunity with the Colombian government to make certain that these men are brought home safely and as soon as possible.

Answer. In Colombia, there is no higher priority for the United States Government than the safe return of Marc Gonsalves, Thomas Howes, and Keith Stansell, whose captivity will reach two years on February 13, 2005.

Our continued efforts to locate the hostages include employing all assets of national power: diplomatic, financial, intelligence, law enforcement, military, and public diplomacy. In Washington, Miami, and Bogotá, dedicated U.S. Government officials are working daily to bring them home.

We are working closely with the Colombian government and other governments. We have and will continue to raise this issue at the highest levels. President Bush and President Uribe most recently discussed the situation during their Cartagena meeting in November 2004. Ambassador Wood is in frequent contact with President Uribe and his cabinet about the three Americans. The Government of Colombia is providing the fullest cooperation possible.

The Department's Bureau of Consular Affairs (State/CA) has been the principal point of contact with the hostages' families on behalf of the U.S. Government since February 2003. An officer in the Consular Bureau's Directorate of Overseas Citizen Services calls family members every week to keep them updated. The State Department hosted each family for a day of briefings from interagency representatives in February, March and April 2004, as part of our continuing efforts to keep them informed, respond to their questions and concerns personally, and remain in close touch with them. The Department is preparing to hold another round of meetings soon. The Department of Justice and FBI have also had direct contact with the families.

If confirmed, you have my commitment that the State Department and I personally will continue to utilize every opportunity to raise the issue of the safe return of Marc Gonsalves, Keith Stansell, and Thomas Howes and to work for their safe return.

Latin America

Question. In Latin America there are troubling trends in both security and democracy. We see frightening movements of Al Qaida and other international terrorist

organizations that indicate an expansion of their operations in Latin America. We also see democratically-elected leaders govern in undemocratic ways, while others are too weak to govern properly and in some cases are forced to resign because they are ineffective. How do we balance these critical but sometimes competing interests? We must tread carefully to ensure that we do not jeopardize our interests in strengthening democracy as we work to secure these countries from the threats of international terrorism.

Answer. Enhancing security and promoting democracy must go hand-in-hand. For example, our efforts to strengthen the rule of law help Latin Americans to tangibly feel the benefits of the rule of law. In turn, this renewed faith in their governments provides a critical buffer against support for illegal groups active in the region.

We will continue to support justice and law enforcement programs that create the environment necessary for democracy to thrive. At the same time, we will help our partners develop the necessary capacities to combat terrorists within their national territories. We will also assist them in protecting critical infrastructure such as the Panama Canal, as well as strengthen regional mechanisms that address terrorism.

Multilaterally, we will support OAS efforts to both strengthen democracy and build effective counter-terrorism capacities, focused on increased border and financial controls, transportation security (aviation and ports), and cyber-security. In pursuing our goals, we will diligently promote adherence to the principles of democracy, including respect for the rule of law, human rights and fundamental freedoms, and shine a light on activities of leaders who govern undemocratically.

Question. President Bush made the Western Hemisphere one of his top priorities at the beginning of his first administration. After September 11, his attention naturally refocused to other areas of the world. After three years, we have seen the troubling results of turning our backs too strongly on this region. Latin America continues to face difficult issues of security drug trafficking, poverty, disease, and instability. As Secretary of State, how will you make Latin America again a priority?

Answer. While events elsewhere in the world have demanded increased attention and resources, President Bush has continued to recognize the strong economic, political, security, and cultural ties that inexorably link together the countries of the Western Hemisphere. Our policy toward the Western Hemisphere focuses on bolstering security, strengthening democracy, promoting prosperity and investing in people—all within a multilateral framework.

We will have two unique opportunities in 2005 to reinforce and demonstrate the high priority that we place on the Hemisphere: the General Assembly of the Organization of American States scheduled for June and hosted by the Secretary of State in Ft. Lauderdale, Florida and the November Summit of the Americas in Argentina.

Building on the recent successes in the Hemisphere and the strong bipartisan support in Congress for our policies in the region, we will continue to focus our efforts on reducing drug production and trafficking, combating poverty, and confronting instability in the region. Our successes in Colombia, from counterterrorism operations and coca eradication to alternative development, strongly demonstrate how U.S. support can make a critical difference.

In a similar vein, the U.S. has committed to improve health and reduce infectious diseases through the Global AIDS Initiative and the Summit of the Americas process. Our free trade initiatives, including trade capacity building, are eliminating trade barriers, opening new markets, and committing countries to modern trading rules. These efforts demonstrate the importance the U.S. places on such an important region.

Russia

Question. The situation in Russia becomes more troubling every day. President Putin appears determined to dismantle the democratic institutions that were created in Russia over the past decade. I am troubled that the administration has not taken a more vocal stand in criticizing President Putin's actions. As a student of Russia, you must be troubled by this situation. As Secretary of State how will you approach this problem?

Answer. The consolidation of democracy in Russia is in our strategic interest, as we believe it is in Russia's. A stable, healthy, democratic Russia will make a stronger partner internationally. We must first recognize that the Russia of today bears little resemblance to the Russia that emerged from the breakup of the Soviet Union. Progress has been made on the path towards a free market-based democracy.

However, progress has not been even, and recent trends show considerable backsliding. We need to remain engaged with Russia. Efforts to isolate it would only fur-

ther encourage the domestic trends we find most troublesome. As part of that engagement, we need to share with our counterparts at all levels of the Government of Russia our questions and concerns regarding the detrimental impact backsliding on democracy will have on our relationship. We must also continue to maintain close relations with those individuals and groups in Russia that are advocating for democratic values and institutions. We must continue to provide robust support for programs that strengthen the rule of law, help fight corruption, and defend democratic values in Russia. We must continue to support linkages between American and Russian institutions and individuals that focus on these issues. In FY 2005, we plan to spend over \$43 million for democracy programs in Russia—about a third more than we did in FY 2004. And we need a robust program of public outreach to show Russians how democratic institutions and practices have helped the United States meet the challenges we both face in the 21st Century. If confirmed, I look forward to working with the Congress to ensure continued strong support for democratization in Russia.

APPENDIX II—ADDITIONAL MATERIAL INCLUDED IN THE RECORD AT THE
REQUEST OF MEMBERS OF THE COMMITTEE

PREPARED STATEMENT SUBMITTED BY SENATOR RUSSELL D. FEINGOLD
(Submitted as part of the 1/19/2005 Business Meeting Prior to the Vote)

I cast my vote in favor of the confirmation of Dr. Rice to be Secretary of State because I believe that the president has the right to appoint cabinet officers who share his ideology and his perspective. Barring serious concerns about a nominee's qualifications or ethical record, and in keeping with Senate practices and precedents, my inclination is to give the President—any President—substantial deference in his cabinet choices.

However, I want to be clear that I was troubled by some of Dr. Rice's statements in the hearing. Our most senior diplomat, our emissary to the entire world, should be able to represent our core values. Dr. Rice's failure, and the failure of the administration, to categorically reject tactics that the average American would acknowledge to be torture is more than disappointing. It is dangerous, and it is unacceptable.

I also want to state, as I have before, that the President's foreign policy over the last four years has been, on many fronts, misguided and self-defeating. I am troubled by the damage done to our image around the world; I am concerned by our loss of focus in fighting terrorism; I am angry about the use of shifting justifications and faulty information to sell the war in Iraq; I am angry about the failure to plan for the fact that overthrowing a regime leads to disorder and disorder leads to looting; I am angry about the official insistence on grossly underestimating the bill that would be handed to the American taxpayer and then declining to budget for this massive expense once its parameters became more clear; I am angry about the mismanagement of efforts to put a competent Iraqi security force in place; I am angry about the woefully slow pace of reconstruction, and I am angry about this administration's failure to ensure that our troops were adequately equipped for the circumstances in which they found themselves. Many people in this country and in this Congress are troubled not only by the mistakes, but by the fact that there appears to be no real accountability for these failures.

At one point in the course of the hearing, Dr. Rice expressed some indignation regarding questions or remarks that she felt impugned her credibility. Her credibility is a legitimate question. Dr. Rice made sweeping, public characterizations about aluminum tubes sought by Iraq before the war began that were, quite plainly, misleading. She permitted a reference to Iraq seeking uranium from Africa, a reference that she knew the intelligence did not support, to be included in a major Presidential address. She has a credibility problem, not just among skeptics in this country, but around the world. And to explore that issue in this forum was entirely appropriate.

The American people elected President Bush, and, like any President, he is entitled to a cabinet that reflects his views. But I will continue to oppose every bad policy, to question every baseless assertion, and to advocate for a wiser course that will make our country more secure. The stakes are far too high for me to do anything else.

U.S. DEPARTMENT OF STATE,
Washington, D.C. 20520,
August 11, 2004.

The HON. RICHARD G. LUGAR,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman:

The Department supports the purposes of S. 2127 and the Administration has been leading a similar effort as recently notified to your committee. The Secretary has established an Office of the Coordinator for Reconstruction and Stabilization (S/CRS) within the Office of the Secretary. S/CRS will oversee and coordinate intra-Departmental and interagency civilian post-conflict and crisis response efforts. This Office's vision is largely in line with the vision in your bill.

The Department is currently working to secure necessary interagency involvement including details from key agencies to provide requisite expertise in specialized areas of reconstruction, stabilization, and humanitarian assistance. The Department is also developing an Operational Readiness Reserve concept to enable and test methods for agile and responsive mobilization of staff to meet these needs. Experience gained in the formation and initial operation of S/CRS will inform Administration decisions that could lead to creation of a more robust Office of Stabilization and Reconstruction Operations. As currently envisaged, this office would have many of the attributes called for in S. 2127.

During this formative stage, sufficient authority exists to establish S/CRS and develop the concept to mobilize agency resources. As we move forward, we will work with you and provide more detailed comments on the entire bill. However, of greatest immediate benefit would be the provisions set forth in Section 5 of S. 2127 that authorize the President's request for a \$100 million account to meet immediate needs in a complex crisis and provide other special assistance authorities including waiver of certain transfer and drawdown limitations. The ability to reallocate resources from a broad range of accounts in a time of crisis is essential if there is to be an effective and timely response to the situation in the affected country or region. We would appreciate your support in securing appropriations and authorities in Section 5.

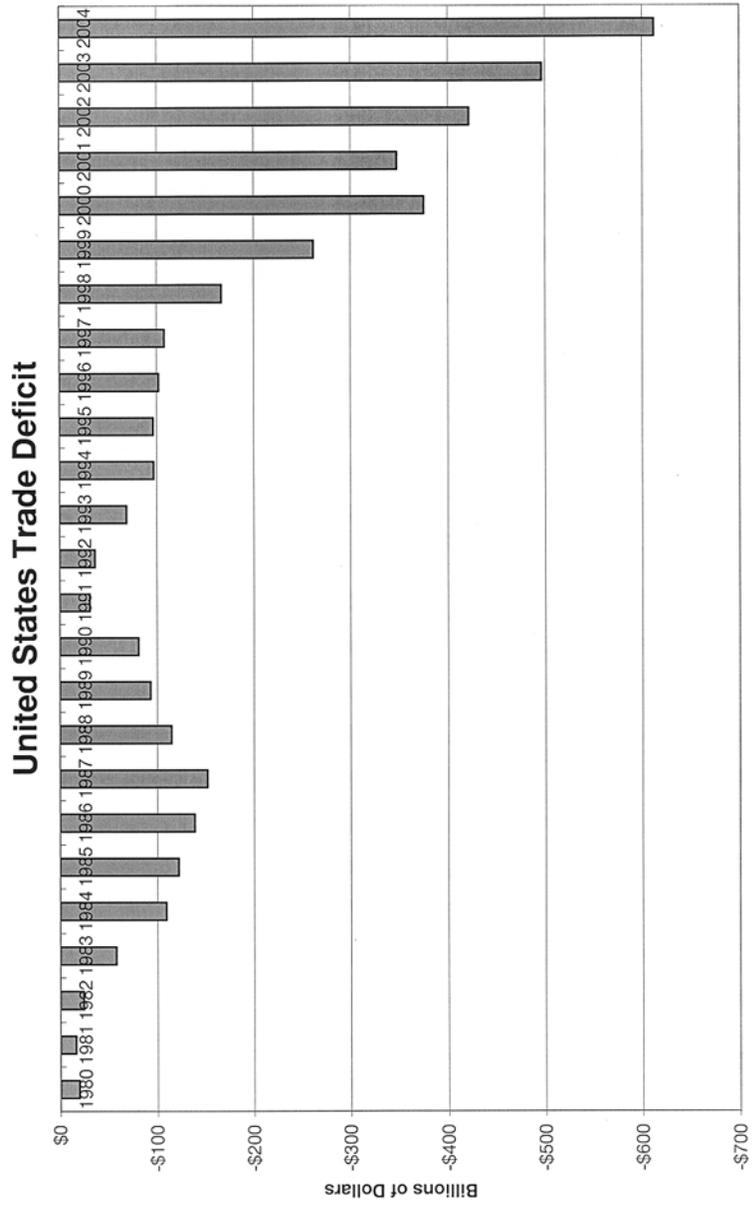
The Department greatly appreciates the willingness of your Committee to address how best to respond to failing, failed, or post-conflict states. The Department looks forward to working with you on creating the resource framework for the new Office in the near term and on future efforts that could lead to building a robust operational capability in sequence.

The Office of Management and Budget advises that there is no objection to the submission of this report from the standpoint of the President's program.

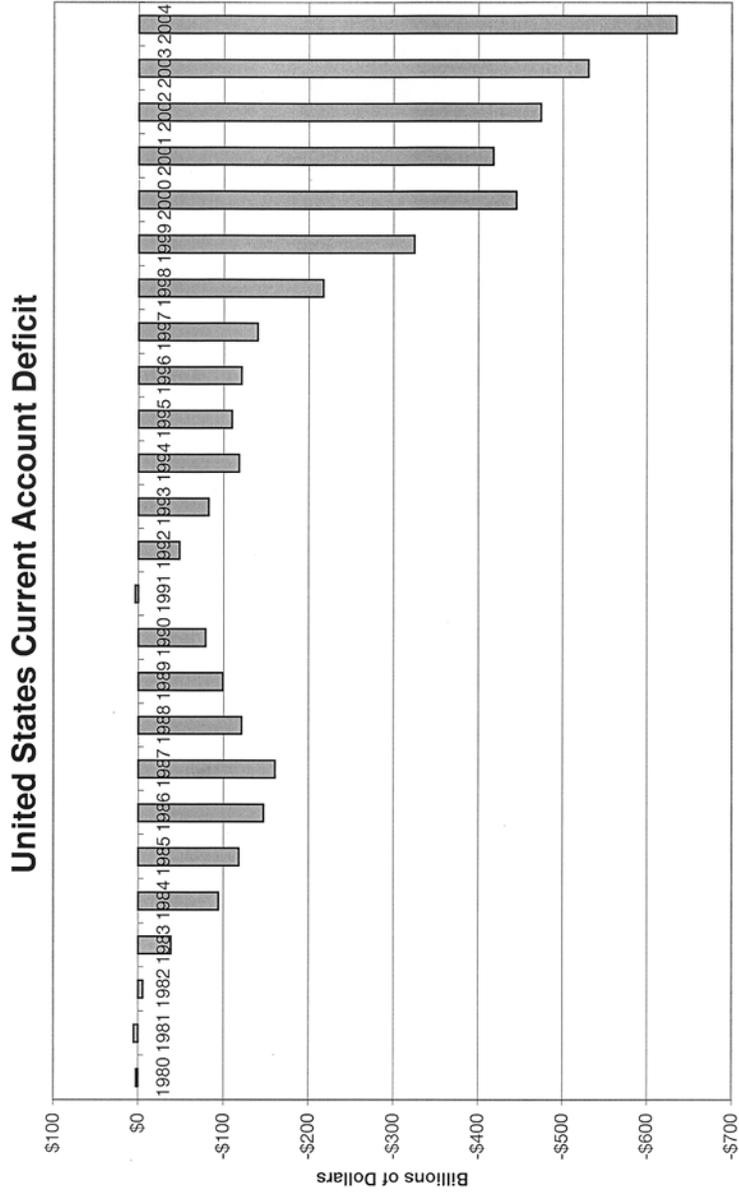
Sincerely,

PETER N. PETRIHOS,
Acting Assistant Secretary,
Legislative Affairs.

CHARTS DETAILING U.S. TRADE DEFICITS SUBMITTED BY SENATOR SARBANES

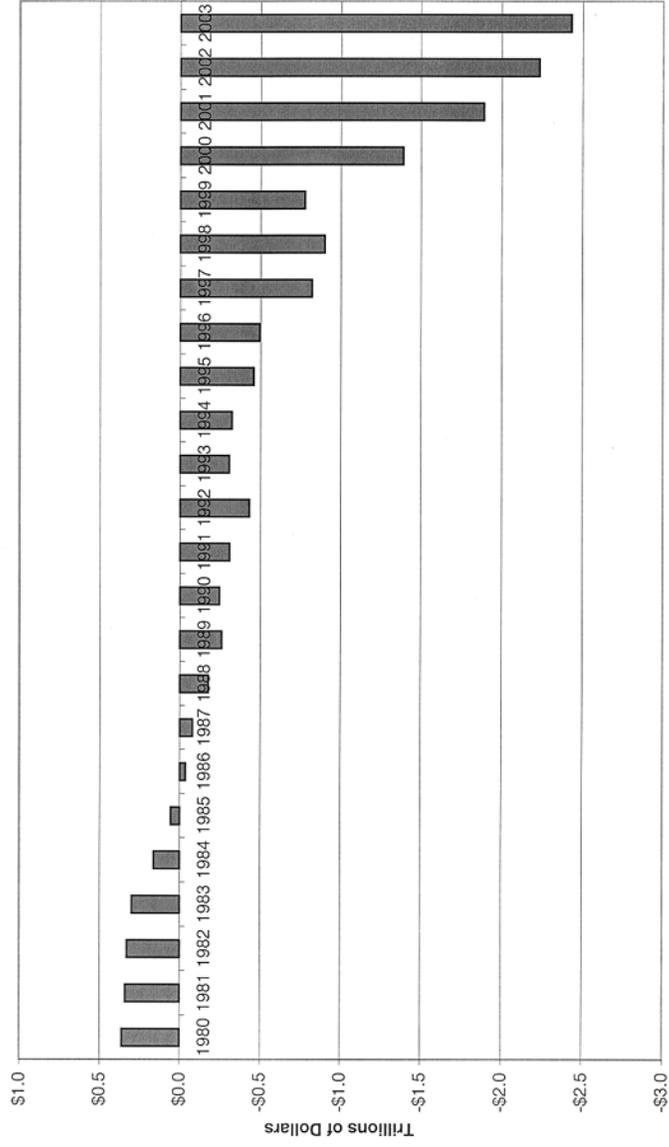


Source Bureau of Economic Analysis. 2004 on annualized rate.



Source Bureau of Economic Analysis, 2004 estimated.

United States Net International Investment Position



(Source: BEA, Survey of Current Business, valued at current cost)

THE RIGHT CALL

By L. Paul Bremer III,
The Wall Street Journal, January 12, 2005; Page A10

Recently some Monday morning quarterbacks have questioned the Coalition's decision to "disband" Saddam's army and bar senior Baathists from government jobs after we liberated Iraq. These were the right decisions. They served an important strategic purpose and recognized realities on the ground after the war.

The Coalition's objectives in Iraq went beyond "regime change." President Bush made clear that we were going to help Iraqis create "a New Iraq," an Iraq freed from Saddam's unparalleled cruelty toward his own citizens. For more than three decades, the dictator had used the army and intelligence services to inflict misery, torture and death on Iraqis and their neighbors. The Baath Party was another important instrument of Saddam's tyranny. Saddam explicitly modeled his efforts to control Iraqi society on the Nazis. "Mein Kampf" was required reading for members of his intelligence services.

In the north, Saddam repeatedly used his army to repress the Kurds, once employing chemical weapons to kill more than 5,000 in a single day. In the South, after the 1991 uprising, Saddam ordered his army to sweep up Shia men, women and children indiscriminately. They were transported to nearby fields on flatbed trucks, machine-gunned en masse and thrown into open pit graves. So far, almost a hundred of these mass graves have been found, monuments to Saddam's army's brutality toward Iraq's citizens. Conservative estimates are that Saddam's security and intelligence forces killed at least 300,000 of their fellow countrymen. The true number of victims will never be known because over a million and a half Iraqis are still missing.

After Liberation, the Coalition felt it was vital to reassure the Iraqi people that in the New Iraq these organizations would no longer be used as instruments of repression. And so the Coalition prohibited the top 1% of the Baath Party from continuing in government service and "disbanded" what was left of Saddam's military and security forces. The political importance of these decisions cannot be exaggerated. During my time in Iraq, Iraqi citizens from all over the country, from every sect, religion and ethnic group, repeatedly praised the de-Baathification and disbanding of Saddam's security forces as the Coalition's most praiseworthy decisions. An opinion poll in early July 2003 revealed that over 94% of Iraqis agreed that top Baathists should not be allowed in government.

Kurdish leaders told me that the decree on the security services convinced the Kurds that the Coalition was serious about creating a united Iraq. That reassurance, they explained, was the decisive factor in the Kurdish decision to remain inside a united Iraq. If instead the Kurds had seceded, civil war would have followed. And a civil war in Iraq would have quickly become a regional war. The Shia, victims of wholesale slaughter by Saddam's army, delighted in the prospect of a New Army no longer dominated by Saddam's henchmen. They welcomed our promise that Shia men would be able to play an important role in that New Army.

There was a practical side to our decision, too. By the time Baghdad and Tikrit fell, the Iraqi army had already disbanded itself. There was not a single organized Iraqi military unit intact after mid-April 2003.

The majority of Saddam's soldiers had been young Shia conscripts. These enlisted men were subjected to brutality and abuse by their mostly-Sunni officers. Conscripts who were not killed or captured during the war not surprisingly took advantage of the war's end to desert. Grateful to be alive, hundreds of thousands of enlisted men simply went back to their farms and families. Trying to get them to return voluntarily would have been a brutal undertaking. Do critics seriously propose that the Coalition should have gone into Iraqi homes and farms and forced these conscripts back into the hated army?

Critics also ignore the political turmoil which would have resulted from reviving Saddam's armed forces. Last April, there was widespread outrage when a few hundred former army officers were brought back by the U.S. Marines in an effort to create a "Fallujah Brigade." Imagine the reaction if at Liberation we had tried to recall tens of thousands of officers. The former army men did not go home empty-handed. Many of them, and looters, stripped their bases and barracks clean. They took not only anything which would move, but a lot that was nailed down—the sinks, faucets and toilets and even the tile and piping in the bathrooms. In many military bases at Liberation not a single brick was left standing on another. No base was usable without major repairs.

So not only was there no Iraqi army left. There would have been no place to put an army if we had wanted to recall it. It has taken a year and billions of dollars

just to reconstitute the facilities and equipment necessary for the New Iraqi Army. Nonetheless the Coalition understood the need to provide a future for the former army members. We immediately began recruiting the New Army and announced that members of the old army, with the exception of its top officers, would be welcomed into it.

Today, more than three-quarters of the enlisted men in the New Army and virtually all of the officers and NCOs served in the old army. Moreover, in July 2003 we began paying a monthly stipend to all but the most senior former officers. These payments continue to this day. So if any former army officers are involved in the insurgency, it is not for money. Their objective is simply to retake power and to return Iraq to its horrible past. The fact that Iraq's new security forces are still not performing well enough to take full responsibility for Iraq's security underscores that creating a well-equipped, professional army cannot be done over night. The problems those forces face today would be even worse if, instead of a fresh start, we had tried to restore Saddam's old system.

The decision to "disband" the Iraqi security forces was approved by the military commander on the ground and by America's senior civilian leadership. It was the right call. This decision, coupled with the prohibition of the top 1% of the Baath Party from government employment, signaled to the Iraqi people the birth of a New Iraq, one in which the security forces would no longer threaten their freedoms.

Mr. Bremer was administrator of the Coalition Provisional Authority from May 2003 to June 2004, when sovereignty was returned to Iraq.

COMPREHENSIVE REPORT OF THE SPECIAL ADVISOR TO THE DCI ON IRAQ'S WMD,
30 September 2004

[The information below is from the complete report which can be accessed at:
http://www.cia.gov/cia/reports/iraq_wmd_2004

NUCLEAR

Key Findings

Iraq Survey Group (ISG) discovered further evidence of the maturity and significance of the pre-1991 Iraqi Nuclear Program but found that Iraq's ability to reconstitute a nuclear weapons program progressively decayed after that date.

- Saddam Husayn ended the nuclear program in 1991 following the Gulf war. ISG found no evidence to suggest concerted efforts to restart the program.
- Although Saddam clearly assigned a high value to the nuclear progress and talent that had been developed up to the 1991 war, the program ended and the intellectual capital decayed in the succeeding years.

Nevertheless, after 1991, Saddam did express his intent to retain the intellectual capital developed up during the Iraqi Nuclear Program. Senior Iraqis—several of them from the Regime's inner circle—told ISG they assumed Saddam would restart a nuclear program once UN sanctions ended.

- Saddam indicated that he would develop the weapons necessary to counter any Iranian threat.

Initially, Saddam chose to conceal his nuclear program in its entirety, as he did with Iraq's BW program. Aggressive UN inspections after Desert Storm forced Saddam to admit the existence of the program and destroy or surrender components of the program.

In the wake of Desert Storm, Iraq took steps to conceal key elements of its program and to preserve what it could of the professional capabilities of its nuclear scientific community.

- Baghdad undertook a variety of measures to conceal key elements of its nuclear program from successive UN inspectors, including specific direction by Saddam Husayn to hide and preserve documentation associated with Iraq's nuclear program.
- ISG, for example, uncovered two specific instances in which scientists involved in uranium enrichment kept documents and technology. Although apparently acting on their own, they did so with the belief and anticipation of resuming uranium enrichment efforts in the future.
- Starting around 1992, in a bid to retain the intellectual core of the former weapons program, Baghdad transferred many nuclear scientists to related jobs in the Military Industrial Commission (MIC). The work undertaken by these scientists at the MIC helped them maintain their weapons knowledge base.

As with other WMD areas, Saddam's ambitions in the nuclear area were secondary to his prime objective of ending UN sanctions.

- Iraq, especially after the defection of Husayn Kamil in 1995, sought to persuade the IAEA that Iraq had met the UN's disarmament requirements so sanctions would be lifted.

ISG found a limited number of post-1995 activities that would have aided the reconstitution of the nuclear weapons program once sanctions were lifted.

- The activities of the Iraqi Atomic Energy Commission sustained some talent and limited research with potential relevance to a reconstituted nuclear program.
- Specific projects, with significant development, such as the efforts to build a rail gun and a copper vapor laser could have been useful in a future effort to restart a nuclear weapons program, but ISG found no indications of such purpose. As funding for the MIC and the IAEA increased after the introduction of the Oil-for-Food program, there was some growth in programs that involved former nuclear weapons scientists and engineers.
- The Regime prevented scientists from the former nuclear weapons program from leaving either their jobs of Iraq. Moreover, in the late 1990s, personnel from both MIC and the IAEA received significant pay raises in a bid to retain them, and the Regime undertook new investments in university research in a bid to ensure that Iraq retained technical knowledge.

THE WHITE HOUSE REGULAR BRIEFING,
April 10, 2003, Thursday¹

Briefer: Ari Fleischer, White House Spokesman

Location: White House Briefing Room, Washington, D.C.

* * * * *
 QUESTIONER. Ari, on weapons of mass destruction, British Prime Minister Blair said a couple days ago in Belfast that after the regime fell, that we, the coalition, would be led to them. That was his words. Yesterday Defense Secretary Rumsfeld was offering rewards for Iraqis to prevent the regime from either destroying documents or destroying materials or shipping them out to the country. So, I mean, what's the bigger picture here? Are we in a position—is the United States in a position where we have to rely on people on the ground to ultimately get to the very weapons that we say Iraq has and that we've been after?

Mr. FLEISCHER. Well, I think there are two principal things that involve the Iraqi people in the efforts to determine where their weapons of mass destruction are. One is the people who are involved in it and want to do everything they possible can to destroy all the evidence of their involvement in it. Obviously, those people are the problem. And then there are other people who may have knowledge about it who want to provide that knowledge to the United States or to coalition allies so that evidence of mass destruction can indeed be unearthed or found. And I think we'll see both on the ground in Iraq. I think it is something that will be found. We've always that we have information that they have weapons of mass destruction. The precise location of where it is is information that the Iraqi people can be helpful with.

QUESTIONER. Well, but—okay. But you're saying now that—I mean, it appears that we really are relying on people to lead us to them rather than knowing where these materials are. And if we don't have that sort of cooperation, I mean, are we going to come up empty here?

Mr. FLEISCHER. I think you've always heard and you continue to hear from officials a measure of high confidence that indeed the weapons of mass destruction will be found. What we have is a regime that was a master at hiding it, that have set up a very large and elaborate infrastructure for the sole purpose of hiding it. And the military conflict goes through its various phases and we turn the corner from actual military conduct, military operation, to more of a pursuit of where the weapons of mass destruction are, then I think additional information will come in. And we don't rule out that it can come in thanks to the help of the Iraqi people.

And I think additional information will come in, and we don't rule out that it can come in thanks to the help of the Iraqi people.

QUESTIONER. But I'm trying to nail this down. You're—either the bad actors are going to slip and tell you about it, lead you to it or present it to you, or people who are as the good actors are going to tip you off, you know, once you're there and lead you to the materials, that right now the government forces on the ground are not in a position independently to get to where the major caches—

Mr. FLEISCHER. No, you can't rule out that the coalition forces might find something along their travels on the ground.

QUESTIONER [continuing]. —because you know who it is.

Mr. FLEISCHER. Well, they're involved in military operations. And Iraq has been hiding it. But what we have is intelligence about their having it. Whether it was specific location or not is often not the case. But keep in mind the rescue of Jessica Lynch, for example. That was developed as a result of information provided to us by an Iraqi citizen. And so we of course were on the lookout for our POWs. We had our antenna up doing everything we could to find them. We have means to be able to do certain things. But there's a limit to these means. The more that there is help from the Iraqi people, the easier the effort.

Ron?

QUESTIONER. I'm not asking for specifics, but I want to know specifically if the United States knows where a cache of WMD is?

Mr. FLEISCHER. Well, we have—

QUESTIONER [continuing]. —(inaudible)—if the site was (cleaned?), they could go to it again.

¹A transcript of the complete White House Briefing will be maintained in the committee's permanent files.

Mr. FLEISCHER. What we have always said is that we know that they had it, and they are expert at hiding it.

QUESTIONER. Do you know where any of it is?

Mr. FLEISCHER. Ron, we have always said we know they have it; they are expert at hiding it. I can't discuss all intelligence information, and this is something Secretary Powell talked about when he went to the United Nations and talked about their abilities to hide. But make no mistake, we maintain high confidence that they have it and it will be found.

David?

QUESTIONER. Do we know where any of it is?

Mr. FLEISCHER. David?

* * * * *

QUESTIONER. Ari, part of the reason for the war was WMD. Now, well into the war, WMD has not been found. The American public is going to the television every morning, listening to the radio every morning, trying to find out if indeed WMD was found. Does the administration feel there's some awkwardness right now with these statements of "they're professional at hiding" and "we know it's there?" I mean, is there some sort of awkwardness about the fact that this has not been found as of yet?

Mr. FLEISCHER. No. We know Saddam Hussein is there, but we haven't found him yet either. I mean, the fact of the matter is, we are still in a war, and not everything about the war is yet known. But make no mistake; as I said earlier, we have high confidence that they have weapons of mass destruction. That is what this war was about and is about. And we have high confidence it will be found.

* * * * *

CORRESPONDENCE FROM THE WHITE HOUSE REGARDING H.R. 10/S. 2845
(INTELLIGENCE REFORM LEGISLATION)

THE WHITE HOUSE,
WASHINGTON, DC.
October 18, 2004.

The HON. PETER HOEKSTRA,
United States House of Representatives,
Washington, D.C. 20515.

The HON. SUSAN COLLINS,
United States Senate,
Washington, D.C. 20510.

Dear Representative Hoekstra and Senator Collins:

As the House-Senate conference on intelligence reform legislation (H.R. 10/S. 2845) meets, the Administration urges the Conferees to reach agreement on an effective bill to strengthen the nation's intelligence capabilities that both Houses can pass and the President can sign into law as soon as possible to meet the nation's security needs. There are many good provisions in both bills and the President endorses the best of each as outlined in this letter to strike a reasonable compromise that will best reorganize our intelligence capabilities and will make the country safer and stronger. The Administration appreciates the significant efforts of the House and Senate to date in passing H.R. 10 and S. 2845, and looks forward to continuing to work closely with the Conferees on this historic legislation.

The Administration is pleased that a majority of the provisions of the President's legislative proposal, dated September 16, 2004, are included in either the House or Senate versions of the legislation. America is a nation at war, and the Conferees have an opportunity to contribute to the passage of a bill that takes another important step forward as we do everything in our power to defeat terrorism and protect the American people. These provisions include creating a National Intelligence Director (NID) with full budget authority, providing important statutory authorities for the newly created National Counterterrorism Center (NCTC), preventing the disclosure of highly sensitive budget information to our nation's enemies, especially during wartime, and preserving the chain of command.

This letter addresses a number of important provisions in H.R. 10 and S. 2845 that the Administration supports, as well as a number of provisions that the Administration opposes, for the reasons generally described below. This letter does not purport to address the Administration's comprehensive position on all of the provisions contained in H.R. 10 or S. 2845.

National Intelligence Director

Budget Authority. The Administration supports the strong budget authority provided to the NID in S. 2845. To be effective, the NID must have clear authority to determine the national intelligence budget, strong transfer and reprogramming authorities, explicit authority to allocate appropriations, and the ability to ensure execution of funds by national intelligence agencies consistent with the direction of the NID. S. 2845 would provide such budget authority.

The Administration is pleased that H.R. 10 would prevent disclosure of sensitive information relating to the intelligence budget. Disclosing to the nation's enemies, especially during wartime, the amounts requested by the President, and provided by the Congress, for the conduct of the nation's intelligence activities would harm the national security.

Chain of Command. The Administration again stresses the importance of section 6 ("Preservation of Authority and Accountability") of the President's proposal; the Administration strongly supports the inclusion of this provision by the Conferees. Inclusion of this section is essential to preserve in the heads of the executive departments the unity of authority over, and accountability for the performance of, those departments (including accountability for implementing the NID's statutory-based guidance). The section also recognizes that the authority of the Director of the Office of Management and Budget is unaffected. In addition, the Administration notes that many of the specific concerns with the NID provisions noted below relate to ensuring that the legislation does not interfere with clear lines of authority within the Executive Branch and does not, by excessive specification of management structures, confuse lines of authority or interfere with areas in which the Executive should retain discretion.

Management Structure. The Administration is gravely concerned about the excessive and unnecessary detail in the structure of the Office of the NID included in both the House and Senate bills. The voluminous and bureaucratic requirements

create confused chains of command, diminish accountability, and foster a risk-averse culture. Such a structure will undermine rather than promote the ability of the national security community to carry out its responsibilities. The provisions of S. 2845 would, in the aggregate, construct a cumbersome new bureaucracy in the Office of the NID with overlapping authorities and responsibilities. This legislatively mandated bureaucracy is inconsistent with the final report of The National Commission on Terrorist Attacks Upon the United States (“9/11 Commission”) and will hinder, not help, in the effort to protect the national security and preserve our constitutional rights. Many of the details contained in these provisions overlap with standard authorities of an Inspector General and a privacy officer. The bill should not create additional layers of investigative offices and staffs that will harm national security and prevent these officers from carrying out their duties. The Administration opposes creation of the Ombudsman of the National Intelligence Authority and the Analytic Review Unit, and also opposes provisions that allow a subordinate officer to oversee or otherwise supervise the work of his superior. The Administration opposes the requirements in S. 2845 that the General Counsel for the NID be appointed from civilian life; this requirement interferes with the President’s ability to pick the best qualified candidate. We urge the conferees to adopt the President’s proposal relative to the structure of the Office of the NID.

The Administration also notes that in August the President established a civil liberties board “within the executive branch” (as called for by the 9/11 Commission) to further safeguard the rights of Americans (Executive Order 13353 of August 27, 2004). The Administration therefore opposes as unnecessary efforts to duplicate our ongoing efforts to protect civil liberties and privacy by the creation of another executive branch board. One of the most significant findings of the Commission Report is that agencies need to act more flexibly, rapidly, and together to protect national security. America needs an Intelligence Community that is focused on protecting America, while ensuring necessary protections for the rights of Americans as reflected in the President’s Executive Order.

The Administration is also concerned with the conforming amendment in H.R. 10 (section 1079) that designates the existing Community Management Staff as the Office of the NID in all statutes and legislation. The duties, responsibilities, and authorities of the CMS and those granted the NID in proposed legislation are not entirely consistent. This inconsistency further complicates the NID management structure and introduces more confusion into the chain of command. Instead, the NID should be given statutory authority to provide for a transition in an orderly fashion of CMS personnel and assets into the office of the NID, as appropriate.

Responsibilities and Authorities. The Administration believes that the responsibilities and authorities of the NID should be described in a single provision that is both internally consistent and consistent with the goal of establishing a strong, effective NID. In addition, the Administration recommends that new sections 102(b)(3) and 102A(a)(1)(D) of the National Security Act as proposed in H.R. 10 be deleted. The Administration also believes that the NID should have the authorities set forth on pages 12–14 of the President’s proposal in order to ensure that the NID is effectively empowered to operate the Office of the NID.

Appointments. The Administration supports giving the NID a role in the appointment of key individuals in the Intelligence Community. The Administration supports the provisions in S. 2845, which are based on the President’s proposal. The Administration also notes that certain of the provisions regarding the appointment of the NID are constitutionally problematic and looks forward to working with Congress to correct these provisions.

Personnel Management. The Administration supports strong personnel management authorities for the NID similar to those set forth in sections 112(a)(8), 113(g), and 114 of S. 2845.

Collection, Analysis, and Tasking. The Administration supports intelligence collection, analysis, and tasking authorities for the NID similar to those set forth in section 102(f) of H.R. 10.

Acquisition Authority. The Administration supports the Senate’s approach to granting the NID milestone decision authority, which will help ensure that the NID has full and effective budget authority. The Administration supports modifications to the language of section 162 of S. 2845 to limit the likelihood of duplicative bureaucracy.

Coordination with Foreign Governments. The Administration would support the provisions in section 113(i) and the proposed new National Security Act section 103(f) in S. 2845 that assign to the NID and CIA Director complementary responsibilities with respect to relationships with foreign intelligence and security services, subject to the addition of the phrase “or involving intelligence acquired through clandestine means” before the period in section 113(i) and section 103(f). Section

1011(a) of H.R. 10 fails to grant the NID sufficient authority to coordinate these relationships and also fails to specify a role for the CIA Director in implementing this authority by coordinating contacts with foreign services.

HUMINT Collection. The Administration supports granting responsibility for the overall direction and coordination of human intelligence operations overseas to the CIA Director. Section 301(a) of S. 2845 would ensure that overseas operations involving human sources will be coordinated and executed according to consistent standards. Section 1011(a) of H.R. 10 does not clearly establish the CIA Director as the coordinator of overseas HUMINT activity, and risks disrupting ongoing collection operations in the War on Terror.

Alternative/Competitive Analysis. The Administration opposes section 146 of S. 2845. A new bureaucracy that duplicates the work of the National Intelligence Council is both burdensome and unnecessary. The need for independent, competitive, or alternative analysis is appropriately acknowledged in section 102(c)(12) of the President's proposal of September 16, 2004, and section 1011(a) of H.R. 10.

Protect Sources and Methods. The Administration supports provisions of S. 2845 that make explicit the NID's authority to protect intelligence sources and methods. At the same time, the Administration believes that the head of each element of the Intelligence Community should be explicitly charged with carrying out this critical authority according to the NID's guidance.

Joint Intelligence Community Council. The Administration supports the establishment of a Joint Intelligence Community Council to ensure that heads of Departments containing elements of the Intelligence Community are held accountable for carrying out their statutory responsibilities to the NID and conversely, that the NID is held accountable for meeting the intelligence needs of the Council members. The Administration prefers section 1031 of H.R. 10 over section 203 of S. 2845, but believes that the Administration-proposed provisions for the Council should be adopted.

Reserve for Contingencies. The Administration believes that the NID and CIA each should have a Reserve for Contingencies. Section 118 of S. 2845 would create a Reserve for Contingencies for the NID and the CIA, but would transfer the unobligated balance in the CIA Reserve for Contingencies to the new Reserve. The House bill does not establish a Reserve for Contingencies for the NID and would preserve the CIA Reserve for Contingencies (see, e.g., section 1071(a)(5)). Creating a NID Reserve and at the same time maintaining the CIA Reserve would enhance the NID's ability to deal with exigencies, while also preserving a key source of the flexibility CIA needs to meet its unique mission requirements.

Location of Office of the NID. The Administration opposes section 121(e) of S. 2845 which would bar the Office of the NID from being co-located with any other Intelligence Community element, as of 1 October 2006. It is imperative that the NID have the ability and flexibility to begin carrying out the reorganization and any new functions and duties that would be directed by intelligence reform legislation, while ensuring that all current intelligence activities within the purview of the Director of Central Intelligence and the Intelligence Community are continued in an effective and productive manner. The NID therefore should have the opportunity and the discretion, subject to direction from the President, to determine the optimal location for the Office of the NID in light of resources, security, efficiency, and other operating and management factors.

National Counterterrorism Center

The Administration supports legislation to provide statutory authorities for the National Counterterrorism Center established by the President in Executive Order 13354 of August 27, 2004. The Administration strongly prefers Section 1021 of H.R. 10 over section 143 of the S. 2845, except that the Administration believes that the Director of the NCTC should be appointed by the President.

National Counterproliferation Center/Other Centers

The Administration favors waiting until the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction completes its study before creating additional intelligence centers. The Administration looks forward to receiving the Commission's recommendations. Mandating creation of a National Counterproliferation Center (section 144 of S. 2845) or other similar organization with insufficient study is premature and risks disrupting ongoing efforts to counter the proliferation of weapons of mass destruction.

The Administration opposes section 145 of S. 2845, which legislates the structure and authorities of other centers. Such a provision poses an unnecessary risk of interfering with the rapid organization of flexible centers to respond to new and

emerging threats, limiting the flexibility to rapidly organize centers designed to respond to new and emerging threats.

Security Clearances

The Administration opposes provisions in S. 2845 and H.R. 10 that would restrict the President's ability to manage the security clearance process. The President and the NID should retain the authority to tailor standards and procedures to agencies if necessary to protect the national security. The Administration is committed to improving the security clearance process, but is concerned with unrealistic time limits that could compromise national security. The Administration supports language contained in the President's proposal requiring the NID to prescribe standards for common personnel clearance policies.

Information Sharing

The Administration commends and supports the provisions in H.R. 10 that promote the development of a secure information sharing environment under the direction of the NID, while also providing flexibility concerning its design and implementation. The Administration also supports the language in H.R. 10 that preserves the information sharing responsibilities assigned to the Department of Homeland Security under sections 892 and 893 of the Homeland Security Act and Executive Order 13311, and urges the Conferees to ensure that those responsibilities are preserved in the final legislation. In contrast, S. 2845 is overly prescriptive and contains excessive detail that will restrict the ability to adapt rapidly evolving technologies to changing circumstances. Similar flexibilities should also be provided with respect to the House provisions regarding an interoperable law enforcement and intelligence data system.

Definition of "National Intelligence"

The Administration supports the definition of "national intelligence" contained in H.R. 10. This definition will further strengthen the NID and help to promote greater information sharing inside and outside of the Intelligence Community. The Administration is very concerned, however, about sections 221–225 of S. 2845 that raise significant constitutional issues.

Foreign Language Skills

It is important in the War on Terror that intelligence agencies recruit and retain as many people as possible who are fully qualified in the foreign languages these agencies need. The Administration supports the provisions of the House bill that would advance foreign language education and training, and requests that those provisions be clarified to ensure that service payback obligations are enforceable.

Declassification Board

The Administration supports the extension of the Public Interest Declassification Board but opposes section 226 of S. 2845, which would rename the Board as the Independent National Security Classification Board and create a Congressional right to appeal classification decisions made by an executive agency with respect to national security information. The authority to make such decisions is clearly vested in the President and his designated subordinates under the Constitution. Moreover, this provision is not germane to the 9/11 Commission's findings or recommendations.

Congressional Oversight

The Administration is concerned that neither bill addresses the critical need to reorganize congressional oversight, including intelligence oversight and oversight of the Department of Homeland Security. The 9/11 Commission concluded that the creation of a NID and NCTC "will not work if congressional oversight does not change too." Similarly, the 9/11 Commission recommended that "Congress should create a single, principal point of oversight and review for homeland security." Accordingly, the 9/11 Commission specifically noted that, of all their recommendations, reorganizing congressional oversight may be "among the most important." The Administration strongly urges the Conferees to address this critical omission.

The Administration is concerned not only with the omission of congressional oversight reform, but the vast expansion of oversight by additional legislative agents contained in S. 2845. This is a significant step in the wrong direction and will hinder the ability of the House and Senate Intelligence Committees to perform their oversight function. The Administration opposes these provisions, including sections 207(1) and 335 of S. 2845.

* * * * *

In addition to provisions concerning the NID, the NCTC, and other core issues responsive to the Administration's proposal, both bills contain a number of additional provisions that will help ensure that the Intelligence Community and others in the War on Terror have all the necessary tools which are needed to prevent terrorist attacks. Some of the most important of these provisions are discussed below.

Terrorism Prevention, Homeland Security, and the Intelligence Community

Additional Tools for the Intelligence Community. The Administration strongly supports and looks forward to working with the Conferees to enact those provisions of Title II of H.R. 10 that seek to ensure that the Intelligence Community and others in the War on Terror have all of the necessary tools that are needed to prevent terrorist attacks, and which help address 9/11 Commission recommendations such as those concerning weapons of mass destruction terrorism financing, and facilitators of terrorist travel and other material support for terrorists. The most critical of these include enhanced provisions to deny material support to terrorists (section 2043), including addressing military-type training by terrorists (section 2042, as well as section 3035); to ensure that communities are protected from suspected terrorists prior to trial and arrested terrorists are unable to launch attacks afterwards (section 2602, and the related post-release supervision provision in section 2603); to prevent attacks by "lone wolf" terrorists (section 2001); to prevent attacks using weapons of mass destruction (subtitle K); to further eliminate sources of terrorist financing (sections 2111–2115, and 2121–2124); and to ensure that the death penalty is available for all terrorist murders (e.g., section 2502, and the air piracy amendments in section 2503). These and other anti-terrorism tools in Title II would help keep America safer and help to address the 9/11 Commission's recommendations.

Terrorist Travel and Border Security. The Administration also supports those provisions of Titles II and III of H.R. 10 that will better protect our borders from terrorists, while maintaining our tradition as a welcoming nation, and further address the 9/11 Commission's recommendations concerning such efforts as border security, terrorist travel, and related vulnerabilities. In particular, the Administration strongly supports efforts to enhance our ability to utilize efficient, flexible tools to keep out or remove convicted criminals and suspected terrorists who cannot be charged with Criminal violations and those who have had their visas revoked (including the enhanced tools in sections 3009, 3010, and 3033), and our ability to share information about terrorist threats and crimes with foreign governments (section 2191).

The Administration supports the provisions in section 3001 of H.R. 10 designed to close a security gap by eliminating the Western Hemisphere exception for U.S. citizens. But the Administration intends to work with Congress to ensure that these new requirements are written and implemented in a way that does not create unintended, adverse consequences.

The Administration strongly opposes the overbroad expansion of expedited removal authorities in H.R. 10 (section 3007), and has concerns about the provision addressing asylum (section 3008); these sections should be modified or dropped altogether. The Administration also believes that any changes in the asylum program must include removal of the annual asylee adjustment cap. The Administration also has concerns with the overbroad alien identification standards proposed by the bill (section 3006). The Administration welcomes efforts in Congress to address the 9/11 Commission's recommendations concerning uniform standards for preventing counterfeiting of and tampering with drivers licenses and birth certificates, but believes that additional consultation with the States is necessary to address important concerns about flexibility, privacy, and unfunded mandates. The Administration generally supports sections 1026–1029 of S. 2845, but recommends that the responsibility for establishment of the standards be assigned to the Secretary of Homeland Security, in consultation with other officials as appropriate, and that the development and issuance process be by means other than negotiated rulemaking.

With respect to Section 3032 of H.R. 10, the Administration looks forward to working with the Congress on the detention-related paragraphs to ensure that the provision applies to the appropriate categories of dangerous aliens; that all of such aliens are provided with the appropriate procedural safeguards; and that it does not inadvertently interfere with Executive Branch efforts to find other countries to accept such people. The Administration is also opposed to the "seek assurances" provision of section 3032 as it is inconsistent with the President's constitutional authority.

Counterterrorism Assistance. The Administration opposes section 3087 of H.R. 10 because it unduly constrains the provision of counterterrorism assistance under the Foreign Assistance Act. Strengthening foreign countries' counterterrorism capabilities is an important line of defense in protecting the United States from terrorist

attack. Like a number of other provisions, section 3088 raises constitutional concerns and should be made precatory.

International Cooperation and Coordination

The Administration does not support adding Title IV of H.R. 10 or Title X, Subtitle A, of S. 2845 to the final legislation as a number of its provisions are inconsistent with the President's constitutional authority with respect to foreign relations, diplomacy, and international negotiations. Furthermore, many of the provisions may adversely impact the ongoing War on Terror.

The Administration also opposes section 1014 of S. 2845, which provides legal protections to foreign prisoners to which they are not now entitled under applicable law and policy. Section 1095 of the proposed National Defense Authorization Act for Fiscal Year 2005 (H.R. 4200) already addresses this issue.

Other Government Restructuring

The Administration opposes provisions in H.R. 10 that would encumber the Federal rulemaking process with duplicative and burdensome new requirements and significant potential litigation risks (section 5091).

Burdensome Reporting Requirements. The Administration is very concerned about the dozens of new reporting requirements contained in the bills. The Administration will continue to work with the Congress to eliminate or reduce the burden created by unnecessary or duplicative statutory reporting requirements and divert resources from critical national security tasks.

Responding to Attacks. The Administration commends the provisions of H.R. 10 that add to the Secretary of Homeland Security's flexibility in providing first responder grant funds to certain high-risk areas, but has concerns about border state funding mandates that reduce that flexibility. The Administration opposes any provision that would unduly limit the Secretary's ability to allocate funds to high-risk areas. In addition, the provision authorizing letters of intent for multi-year interoperability grants may complicate homeland-security planning efforts by creating unrealistic expectations of long-term funding.

Personnel. The Administration is concerned about a number of other provisions in Title V of H.R. 10, including, as referenced above, Subtitle F on security clearances. For instance, the Administration opposes provisions in Title V that would create inequities in personnel policy between the FBI and other law enforcement agencies, and looks forward to working with the Congress on a separate and comprehensive reform of law enforcement pay and benefits. While appreciating the intent behind it, the Administration also opposes section 5041 because of its harmful ramifications. The section would prevent officials from exercising delegated Presidential functions and from serving in agency lines of succession.

Ethics Laws. The Administration opposes section 5043 of H.R. 10, which would eliminate the level playing field established for all three branches of government by the Government-Wide Ethics Reform Act of 1989, creating a new regime of non-uniform ethics laws. The financial disclosure process should be modernized to reflect changed circumstances. The Administration strongly urges Congress to adopt the bill to modernize government-wide financial disclosure submitted by the Office of Government Ethics to the Speaker on July 16, 2003.

Market Preparedness. As currently drafted, subsection 2(E) of the proposed amendment to the Securities and Exchange Act of 1934 in section 5085 of H.R. 10 weakens the Treasury's longstanding responsibility for the orderly functioning of the market for government securities, by providing the SEC with unilateral authority to suspend or restrict the operations of clearing agencies for government securities in the event of a national emergency. Control by the Treasury over this market is critical because of both the special characteristics of the market and the independent need of the Treasury to be able to provide for effective funding of the government of the United States at all times. The problem created by the current draft can be solved by deleting paragraph (E), which would have no effect on the remaining provisions.

Public Safety Spectrum. The administration is dedicated to ensuring that adequate spectrum exists for public safety. The Department of Commerce has released a series of specific recommendations as part of the President's Spectrum initiative to accomplish this goal. The Administration opposes the inclusion of the "Digital Transition Consumer Assistance Fund" under Title X, Subtitle F of S. 2845. Creating a billion dollar fund to subsidize consumer electronics such as digital converter boxes, high-definition televisions, and the installation of cable and satellite services is not necessary to achieve the 9/11 Commission's recommendations. The Administration has proposed an analog spectrum fee on broadcasters to encourage faster re-

turn of analog TV spectrum. This proposal would facilitate public safety access to spectrum in a timely fashion without generating budgetary costs.

Conclusion

The Administration also has concerns with a number of other provisions in the House and Senate versions of the legislation and notes that a number of provisions in the legislation could be applied only to the extent consistent with the President's constitutional authorities. We look forward to working closely with the Conferees as you craft a final bill to strengthen the nation's security that the President can sign as promptly as possible.

Sincerely,

JOSHUA B. BOLTEN,
Director, Office of Management and Budget.

CONDOLEEZZA RICE,
Assistant to the President for National Security Affairs.

cc: All House and Senate Members of the Conference

○