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UPDATE ON U.S.–RUSSIA POLICY

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BEFORE THE

COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE

ONE HUNDRED SEVENTEENTH CONGRESS

FIRST SESSION

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UPDATE ON U.S.-RUSSIA POLICY

TUESDAY, DECEMBER 7, 2021

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

The committee met, pursuant to notice, at 2:40 p.m., in room SD–G50, Dirksen Senate Office Building, Hon. Robert Menendez, chairman of the committee, presiding.

Present: Senators Menendez [presiding], Cardin, Shaheen, Coons, Murphy, Kaine, Markey, Merkley, Booker, Van Hollen, Risch, Rubio, Johnson, Romney, Portman, Young, Barrasso, and Cruz.

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

The CHAIRMAN. The committee will come to order.

Secretary Nuland, thank you for coming before the committee today and coming not just once, but twice this week to testify before this committee. We appreciate the time that you and Assistant Secretary Holmgren gave us last night in a classified setting.

As we meet here today, Russia is engaged in one of the most significant troop buildups that we have seen along Ukraine's border. To anyone paying attention, this looks like more than posturing, more than attention seeking. The Kremlin's actions clearly pose a real threat of war.

I want to be crystal clear to those listening to this hearing in Moscow, Kyiv, and other capitals around the world. A Russian invasion will trigger devastating economic sanctions the likes of which we have never seen before.

I proposed a suite of options last month in an amendment to the NDAA. The Russian banking sector would be wiped out. Sovereign debt would be blocked. Russia would be removed from the SWIFT payment system. Sectoral sanctions would cripple the Russian economy.

Putin, himself, as well as his inner circle would lose access to bank accounts in the West. Russia would, effectively, be cut off and isolated from the international economic system.

Let me be clear. These are not run of the mill sanctions. What is being discussed is at the maximum end of the spectrum, or, as I have called it, the mother of all sanctions, and I hope that we can come together in a bipartisan way to find a legislative path forward soon so that we can achieve that.

If Putin invades Ukraine, the implications will not only be devastating for the Russian economy, but also for the Russian people.

The Ukrainian military forces of 2021 are not the Ukrainian military forces of 2014.

They are well equipped, thanks to the United States and our allies. They are well trained. They have years of combat experience, and, most importantly, they have every incentive to fight.

Now Russia clearly has conventional advantages, but is the Kremlin really ready to face a bloody, persistent, and drawn-out insurgency? How many body bags is Putin willing to accept?

In New Jersey, we have a large Ukrainian diaspora. I know Ukrainians well. I know their fighting spirit. Is Russia ready for Ukrainians from every walk of life, from boys and men and grandmothers, to rise up and undermine and destroy a Putin-installed puppet government?

Do Russian families really want to sacrifice their sons and daughters to the ego of a dictator in the Kremlin? Is the Kremlin truly prepared for a 1980s Afghanistan all over again? In short, the Kremlin may want to reconsider.

Putin clearly wants to reconstitute the Soviet Union, amass power, and expand Russia's borders, but you know what? It turns out that Ukraine gets a vote and the Ukrainian people clearly want to be part of the West. They do not want to be subservient to Moscow. They want a better future for their children. Given Ukraine's resolve, Putin may want to reconsider. There are off-ramps available if he chooses to follow them.

Finally, Putin is clearly underestimating our allies. This is not a question of the United States versus Russia. Our European allies and partners share our alarm. They are willing to act and, if pushed, they will stand in solidarity with Ukraine and against Kremlin aggression. Given Europe's resolve, Putin may want to reconsider.

This is a critical time. There still may be a window to deter the Kremlin from deciding to invade, but we must be clear and united about what awaits Russia if it chooses that unwise path.

I look forward to hearing about the Administration's diplomatic efforts, including a readout of this morning's call with Putin by President Biden. I look forward to hearing how we are supporting Ukraine's military. I look forward to hearing how we are leading a sanctions effort with allies.

Let us not mince words. This is not a time for half measures. If Putin does decide to act, if he invades Ukraine, the response will be swift and will be unequivocal. Putin does not get to redraw the map of Europe. Europeans should be thinking about that.

He does not get to bully the people of an independent nation into submission. He may dictate the course of events inside of Russia, but he does not get to dictate the course of events in Ukraine. Ukrainians will not stand for it and neither should we.

Finally, this critical moment calls for unity of purpose, unity with our partners in Kyiv, unity with our allies, especially those who value democracy and the rule of law, and unity amongst ourselves in this body.

As we have during past instances of peril, the Senate must be united in sending a clear and strong message that unwarranted aggression will not stand. I urge our members to come together in that unity of purpose in the days to come.

With that, let me turn to the distinguished ranking member, Senator Risch, for his opening statement.

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

Senator RISCH. Thank you very much, Mr. Chairman. That was an extensive opening statement and I would like to join in the chairman's remarks.

This is a clearly, clearly bipartisan matter, and rather than going over it again, I will simply say that those who are listening, both our allies and those in Moscow, listen carefully to what has been said here.

I join in those remarks. My sentiment is the same as the chairman's. I think that I can tell you that the sentiment in the United States Senate is very much as described by the chairman.

We have not had a readout yet on what the phone call was like this morning. I do not know whether you are ready to do that here yet or not. Whatever happens, I hope you will communicate back to the Administration, although I suspect it will be there before you get back, of the resolve that this body has to move forward if, indeed, such an act by Russia occurs.

With that, I will yield back. Thank you very much, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Risch.

With that, we will turn to Secretary Nuland. Thank you, again, for coming before the committee. You have heard some of my framing questions at the beginning. We look forward to your testimony and then to the dialogue that will ensue.

We recognize you at this time.

STATEMENT OF THE HONORABLE VICTORIA NULAND, UNDER SECRETARY OF STATE FOR POLITICAL AFFAIRS, U.S. DEPARTMENT OF STATE, WASHINGTON, DC

Ms. NULAND. Thank you, Mr. Chairman. Thank you, Ranking Member Risch, members of the committee, for the opportunity to appear before you today and for the time that we were able to spend in classified session yesterday to discuss our shared concern—what I hear is a bipartisan concern—about the buildup of Russian forces on Ukraine's border and in occupied Crimea.

First, let me review what we are seeing. Over the past 6 weeks, Russia has stepped up planning for potential further military action in Ukraine, positioning close to 100,000 troops around Ukraine's eastern and northern borders and from the south via the Crimean Peninsula.

Russian plans and positioning of assets also include the means to destabilize Ukraine from within and an aggressive information operation in an attempt to undermine Ukrainian stability and social cohesion and to pin the blame for any potential escalation on Kyiv and on NATO nations, including the United States.

Russia's military and intelligence services are continuing to develop the capability to act decisively in Ukraine when ordered to do so, potentially, in early 2022. The intended force, if fully mobilized, would be twice the size of what we saw last spring, including

approximately a hundred battalion tactical groups, or nearly all of Russia's ready ground forces based west of the Urals.

We do not know whether President Putin has made a decision to attack Ukraine or to overthrow its government, but we do know he is building the capacity to do so.

Much of this comes right out of Putin's 2014 playbook, but this time it is much larger and on a much more lethal scale. Despite our uncertainty about exact intentions and timing, we must prepare with our allies and partners for all contingencies, even as we push Putin to reverse course.

Now to what we are doing. First, we are engaging Russia at all levels to urge Moscow to pull back and to settle any concerns with Ukraine or with the transatlantic community through diplomacy.

As you know, the President sent CIA Director Burns to Moscow in early November, Secretary Blinken engaged with Foreign Minister Lavrov last Thursday, National Security Adviser Sullivan and I and all of us have been active with our Russian counterparts, and President Biden gave that message directly to President Putin in a more than 2-hour phone call this morning.

We are also warning, and the President warned President Putin today, of severe costs and consequences, including deploying far harsher economic measures than we have used before if Russia chooses the path of confrontation and military action.

Second, we are engaging intensively with Ukrainian President Zelensky and his government to strengthen their defenses, support their preparedness, and help them fight disinformation, while also urging, as you did, Mr. Chairman, national unity and vigilance in the face of Russian efforts to divide or provoke them.

Since 2014, the United States has provided Ukraine with $2.4 billion in security assistance, including $450 million this year alone. We are committed to Ukraine's sovereignty, territorial integrity, and independence, and that is unwavering.

Third, during Secretary Blinken's meetings at NATO and the OSCE last week and in countless bilateral meetings at all levels, including the President's engagements directly with key Europeans, we are working with allies and partners to send a united message: Russia must deescalate, it must pull back its forces, and return to negotiations.

If Russia attacks Ukraine, we will be united in imposing severe consequences on Moscow for its actions, including high-impact economic measures that we have refrained from using in the past, and at NATO, we are working closely with allies to prepare to reinforce NATO's defenses on its eastern flank as that is needed.

None of us seeks confrontation or crisis. Certainly, the Russian people do not need it as they come out of a difficult COVID period. Diplomacy remains the best route to settle the conflict in Donbas and address any other problems or grievances.

The Minsk Agreements offer the best basis for negotiations and the U.S. is prepared to support a revived effort if the parties welcome that.

More broadly, President Biden continues to believe that a more stable and predictable U.S.-Russia relationship is in both countries' interests. We will continue to have very deep disagreements with the Kremlin on human rights, on Mr. Navalny's treatment, on

press and NGO freedom, on Belarus, on cyber threats, on election interference, on detained American citizens, and on embassy staffing and many other things.

President Biden has, including today, and will continue to raise these issues with President Putin.

Yet, as we all know, when the United States and Russia can work together, as we are doing now on Iran and in the nascent strategic stability talks, we offer both our citizens and people everywhere the prospect of a better future, but what we could and should do together will be put at risk if President Putin chooses more aggression against Ukraine.

Senators, while I have you captive, I want to thank this committee for moving so many of our State nominees out of committee in recent weeks and even getting some of them confirmed.

I met with Ambassador Flake this morning, one of your previous colleagues and now one of our colleagues, for example, but with 85 nominees pending consideration before the Senate, American diplomacy remains at quarter power at main State and around the world.

At this time of myriad security challenges, including the one we are talking about today, every empty slot around the world diminishes our global influence and creates space for our adversaries to fill.

As Christmas and New Year's approach, the Senate could give American diplomacy no greater gift than to get our folks confirmed and off to work.

Thank you, and I look forward to your questions.

[The prepared statement of Ms. Nuland follows:]

Prepared Statement of Victoria Nuland

Chairman Menendez, Ranking Member Risch, members of the committee, thank you for the opportunity to appear before you today to discuss our shared concern about the build-up of Russian forces on Ukraine's borders and in occupied Crimea.

First, let me review what we are seeing: Over the past 6 weeks, Russia has stepped up planning for potential further military action in Ukraine, positioning close to 100 thousand troops around Ukraine's Eastern, and Northern borders as well as from the South via the Crimean Peninsula. Russia's plans and positioning of assets also include the means to destabilize Ukraine from within, and aggressive information operations in an attempt to undermine Ukrainian stability and social cohesion, and to pin blame for any potential escalation on Kyiv and NATO nations.

Russia's military and intelligence services are continuing to develop the capability to act decisively in Ukraine when ordered to do so, potentially in early 2022. The intended force, if fully mobilized, would be twice the size of what we saw last spring, including approximately 100 Battalion Tactical Groups (BTGs), or nearly all of Russia's ready ground forces based West of the Urals.

We don't know whether Russian President Putin has made a decision to attack Ukraine or overthrow its government, but we do know he is building the capacity to do so. Much of this comes right out of Putin's 2014 playbook, but this time, it is on a much larger and more lethal scale. So despite our uncertainty about exact intentions and timing, we must prepare for all contingencies, even as we push Russia to reverse course.

Now to what we are doing: First, we are engaging Russia at all levels to urge Moscow to pull back, and settle any concerns with Ukraine or with the Trans-Atlantic community through diplomacy. The President sent CIA Director Burns to Moscow with that message in early November; Secretary Blinken engaged FM Lavrov last Thursday; NSA Sullivan and I have been active with Russian counterparts, and [today] President Biden gave that message directly to President Putin.

We are also warning of severe costs and consequences, including deploying far harsher economic measures than we have used before, if Russia chooses the path of confrontation and military action.

Second, we are engaging intensively with President Zelenskyy and the Ukrainian Government to strengthen their defenses, support their preparedness, and help them fight disinformation, while also urging national unity and vigilance in the face of Russian efforts to divide or provoke them. Since 2014, we have provided Ukraine with $2.4 billion in security assistance, including $450 million this year alone. The United States' commitment to Ukraine's sovereignty, territorial integrity and independence is unwavering.

Third, during Secretary Blinken's meetings at NATO and the OSCE last week and in countless bilateral meetings at all levels, we are working with Allies and partners to send a united message: Russia must deescalate, pull back its forces and return to negotiations. But if Russia attacks Ukraine, we will be united in imposing severe consequences on Moscow for its actions, including high-impact economic measures we have refrained from using in the past. At NATO, we are working closely with Allies to be prepared to reinforce defenses on the eastern flank, as needed.

None of us seeks a confrontation or a crisis. Diplomacy remains the best route to settle the conflict in the Donbas and address other grievances. The Minsk agreements offer the best basis for negotiations, and the U.S. is prepared to support a revived effort if the parties welcome that.

More broadly, President Biden continues to believe that a more stable and predictable U.S.-Russia relationship is in both our interests. We will continue to have deep disagreements with the Kremlin on human rights, Mr. Navalnyy's treatment, press and NGO freedom, Belarus, cyber threats, election interference, detaining American citizens, embassy staffing and many other things. President Biden has and will continue to raise all these issues with President Putin.

And yet, when the United States and Russia work together, as we do now on Iran and in the nascent strategic stability talks, we offer our citizens and people everywhere the prospect of a safer future. But what we could and should do together will be put at risk if President Putin chooses more aggression against Ukraine.

While I have you captive, I want to thank this committee for moving so many of our State Department nominees out of committee in recent weeks, and even getting a few confirmed. But with 85 nominees pending consideration before the Senate, American diplomacy remains at quarter power at Main State and around the world. At this time of myriad security challenges, every empty slot diminishes our global influence and creates space for our adversaries to fill. As Christmas and the New Year approach, the Senate could give American diplomacy no greater gift than to get our folks confirmed and off to work. Thank you.

I look forward to your questions.

The CHAIRMAN. Thank you very much. We will start a series of 5-minute rounds. I will recognize myself.

First of all, with reference to the President's call with President Putin today, would you characterize President Biden's messages to President Putin as clear and unequivocal, of delineating the consequences of any such invasion, including sanctions such as that I have mentioned and others that we mentioned yesterday in a classified setting?

Ms. NULAND. Absolutely, Mr. Chairman. The President could not have been clearer.

The CHAIRMAN. All right. In that respect, have we also shared that this is not just a question of the United States engaging in these very significant sanction activities, but an increasing multilateral reality for President Putin if he makes the mistake of invading Ukraine?

Ms. NULAND. Absolutely. We have said it ourselves, but the Europeans and other allies are increasingly saying it as well. You might have seen a press conference today that Commission Chairwoman von der Leyen gave in Brussels in which she made absolutely clear that the EU would also join in very consequential economic measures of the kind that they have not employed before.

The CHAIRMAN. Much has been said about the Nord Stream 2, somehow that it would be the be all and end all of not having this

present set of circumstances. I do not believe that for a moment because there is far more engagement here than that.

Are the Germans ready to take significant actions with us if, in fact, Russia invades Ukraine?

Ms. NULAND. I believe they are, and today is the first day of the new German Government, as you know, but we have already begun intensive consultations with them.

The CHAIRMAN. Do we have a calculus as to how much pain Putin is willing to subject himself to in order to invade Ukraine? Meaning, how many lives as Russia's sons are in the mix in terms of, particularly, a long-term insurgency that would exist by the Ukrainian people rising up?

Ms. NULAND. Chairman, I thought you sent President Putin a very powerful message yourself this morning, that the Ukrainians are a tough nation. They will not stand by should President Putin order his forces into Ukraine or otherwise try to destabilize their democracy in profound ways.

I think the Russians will have a very big fight on their hands, that there will be severe casualties for them, and, frankly, it is hard to comprehend why, at a time when Russia itself has one of the highest rates of COVID around the world and the Russian people are suffering in other ways, Putin would want to spend the money in the Russian treasury, hundreds of millions of rubles, on a war nobody needs with Ukraine rather than on building back better inside Russia, which is what his people are asking for.

The CHAIRMAN. Would it be fair to say that because of the mounting Russian troops, which I understand is close to 170,000 or so, amassed along Ukraine's various borders, that, in fact, it has caused the Ukrainians to have to mobilize in a way that they might not have before?

Ms. NULAND. That is right. With, as I said, close to 100,000 troops now and many, many more planned, the Ukrainians are having to think differently about their own security and, in fact, some of the defensive lethal support that the U.S. has given Ukraine over the years they have had in storage containers and I think we will now see them have to put that stuff out and be thinking very hard about their own civil defense.

The CHAIRMAN. Finally, if, hopefully, President Putin takes a different course and does not invade Ukraine that does not mean that Ukraine's stability is reasserted because there are other ways to try to destabilize the Ukrainian Government.

Are we working with the President of Ukraine to try to firm up their stability institutionally as well as against cyber and other efforts to undermine the Government of Ukraine?

Ms. NULAND. We are, Mr. Chairman. As I said in my opening, there are also significant Russian efforts to destabilize Ukraine from within and to pose catastrophic risks for the Zelensky Government.

We have been very clear in sharing our concerns and intelligence that we have with the Ukrainians and in supporting efforts that they are making not only in the cyber realm, but in the civil defense realm to protect their institutions and their critical infrastructure.

The CHAIRMAN. Thank you.

Senator Risch.

Senator RISCH. Thank you, Mr. Chairman. Are you able to give us a readout on this call this morning?

Ms. NULAND. Ranking Member Risch, just to say that the White House is doing a public readout simultaneously with this hearing. I will let them take the lead there, and the President is also having a consultation with major European allies this afternoon. I think there will be a further readout thereafter.

Just to say that my understanding is that the call went some 2 and a quarter hours or longer with consecutive translation that the President was able to in a very, very fulsome way express our concerns, express the consequences of any further Russian aggression, but also to make clear to President Putin that if there are questions that he has or grievances that he has that could be worked through with diplomacy, either vis-à-vis Ukraine or vis-à-vis the U.S. or vis-à-vis NATO that we are open to having these conversations and that aggression is the wrong way to go.

Senator RISCH. You have heard the comments that have been made by the chairman and myself over the last couple of days. Do you think that the President was that strong when he communicated to Putin where the U.S. is on this issue?

Ms. NULAND. I am confident that he was.

Senator RISCH. Do you think Putin understood?

Ms. NULAND. I try very hard not to get inside the mind of President Putin. I will leave that for others.

Senator RISCH. Thank you very much. We will look forward to getting the readout from the White House. Thank you.

Thank you, Mr. Chairman.

Senator CARDIN [presiding]. Madame Secretary, first of all, thank you very much for your service. I appreciated the opportunity in the closed session, and let me follow up a little bit on our concerns.

First of all, I agree completely with the chair in regards to the maximum pressure being exhibited at this stage and that we need to show unity and make it clear that there would be a heavy price to pay if Russia, indeed, does further incursions into Ukraine.

I want to get to an issue that should concern all of us. Crimea was taken over by Russia in 2014. We imposed sanctions, Europe imposed sanctions, and the status is still a Russian occupation of Crimea.

Yes, we have to be prepared to take action against Russia if they incur further into Ukraine, but we need to have a strategy that goes beyond just the initial response on our activities that makes it increasingly more difficult for Russia to continue this behavior over—if it extends for any length of time.

I guess my first question to you is do we have conversations with our allies that we have to be prepared for any contingency, including the possibility that our initial response if Russia invades Ukraine may require us to escalate and make it even more challenging for Russia to continue this behavior?

Ms. NULAND. Absolutely, Senator Cardin. We are talking about day one measures, day five measures, day 10 measures, et cetera, but it is also important, I think, for President Putin to understand, as the President conveyed to him today, that this will be different

than it was in 2014 if he goes in. You will recall then that our sanctions escalated somewhat gradually as he did not stop moving.

This time, the intent is to make clear that the initial sanctions in response to any further aggressive moves in Ukraine will be extremely significant and isolating for Russia and for Russian business and for the Russian people.

Senator CARDIN. Russia has substantial energy resources. Are we considering how to handle the energy sector in the event of Russia's incursion? We already talked a little bit about Nord Stream 2, but if we could talk about the way that they have weaponized energy in the past, yet, it is a resource that Mr. Putin might believe he will still be able to utilize even with sanctions from the West. How do we handle the energy sector?

Ms. NULAND. This is part of what we are discussing with our allies and partners as we build the sanctions packages that we need to understand the exposure of allies and partners, but also the risks to Mr. Putin and to his government.

As you know, energy is the cash cow that enables these kinds of military deployments. Putin needs the energy to flow as much as the consumers need it, but, more broadly, we have been counseling Europe for almost a decade now to reduce its dependence on Russian energy, including our opposition to Nord Stream 2 and our opposition to Nord Stream 1 and our opposition to TurkStream and TurkStream 2, and to come to find alternative sources of hydrocarbons, but also to continue their efforts to go green and end their dependencies.

Senator CARDIN. How are our discussions going with the Ukrainian Government in regards to the contingency of a Russian incursion as to what type of assistance they will need from the United States?

Ms. NULAND. Conversations are ongoing at every level. We had Secretary Blinken talk to President Zelensky yesterday. President Biden will speak to him either later today or tomorrow.

We have had the defense minister, the foreign minister, the national security adviser in Washington. Secretary Blinken also sat with the foreign minister a week ago in—on the margins of the OSCE meeting in Stockholm and we have a very robust team in the embassy and our advisor is in Kyiv now.

I would ask our DoD colleagues to talk to you about the conversations that they are having with counterparts in Ukraine as well, which are also pretty fulsome.

Senator CARDIN. Thank you. I understand we are joined by Senator Young by WebEx.

Senator YOUNG. Yes, thank you.

Ambassador Nuland, on December 1, Secretary Blinken promised serious consequences for any Russian aggression while you said the U.S. would impose high-impact economic sanctions. These are sort of vague terms and they do not provide enough substance to serve as an effective deterrence one might think.

Can you provide any more specifics about what measures are being considered by the Administration to counter Russian aggression?

Ms. NULAND. Senator Young, I, again, want to thank the committee for the opportunity to speak in classified session yesterday

where I was quite clear and specific about the various measures that we are working on internally and that we are working on with our allies and partners.

I would say that the President was equally precise in his conversation with President Putin. It did not come as a surprise to President Putin because he was very aware of the conversation which we are having with our allies, which is part of the strategy, obviously.

Suffice to say that the impact would be extremely profound. I do not think it serves the policymaking process to go any further than that in this setting. I know you will understand.

Senator YOUNG. I do. I do understand. Russia is already subject, Ambassador, to extensive sanctions so why have these sanctions not served as an effective deterrent thus far?

Ms. NULAND. Senator, I think you and I have had this conversation before. I, personally, believe that the sanctions that we imposed in a steadily increasing fashion in 2014 and in 2015 in response to Russia's incursions—first in Crimea, and then in Donbas—did have the effect of stopping the Russian forces and President Putin from going further, particularly when we got to the sectoral sanctions in 2015.

I would say that when we began to see this latest buildup and when we began to make clear that we would take economic measures that are far more severe than those we have used before, I think it did come as somewhat of a surprise to President Putin and the group around him. So they are having to factor that in.

In every sanctions conversation, you apply them. They have some effect. They have to be updated, because countries find a way to navigate, as you know.

Senator YOUNG. We have also discussed, Ambassador, that sanctions tend to be more effective in a multilateral sort of capacity. Are you able to share with me and those who are watching or listening how you assess our NATO partners would respond to a Russian invasion of Ukraine?

Ms. NULAND. Senator, we are having a very robust conversation with our NATO allies, with our allies and partners in the European Union, obviously, with Ukraine.

I think the statement, as I said earlier, by the chairman of the EU Commission, von der Leyen, this morning about the EU's strength of conviction with regard to the potential need to deploy more and far harsher sanctions this morning speaks to the unity that we are building, as did the very strong statements that we had from NATO when the Secretary was there last week. Again, the President is continuing that diplomacy today, as we all are, at every level.

Senator YOUNG. Ambassador, President Putin and Foreign Minister Lavrov have repeatedly indicated that they seek to deny any potential path to NATO membership for Ukraine and other Eastern European countries. Does the Administration view this demand is a valid issue for negotiation?

Ms. NULAND. No, we do not, and President Biden made that point crystal clear to President Putin today that the issue of who joins NATO is an issue for NATO to decide. It is an issue for appli-

cant countries to decide, that no other outside power will or may have a veto or a vote in those decisions.

Senator YOUNG. Thank you, Ambassador. I have no further questions.

Senator CARDIN. Senator Shaheen is recognized.

Senator SHAHEEN. Ambassador Nuland, thank you for being here today and for the briefing that you gave us yesterday. I think it is very clear, listening to the members of this committee, that there is strong bipartisan concern about what Russia might be thinking about with respect to Ukraine and support on this committee and in the Senate for Ukraine and for doing everything we can to ensure that they remain a sovereign nation.

Senator Portman and I offered an amendment to this year's NDAA in that vein to increase military assistance and raise the amount of assistance that could go to lethal weapons.

Are there other things that you think we could be doing in this Congress that would further show support for Ukraine?

Ms. NULAND. Thank you, Senator. I think the Congress and the American people in a bipartisan fashion have been enormously generous, as I mentioned in my opening—$450 million in lethal defensive support heretofore.

I think we need to continue to look at other things that the Ukrainians need in terms of cyber resilience, in terms of communications capability, in terms of educating the next generation, all these kinds of things.

We will not be shy about coming to you as we need support and the bipartisan spirit here is really gratifying.

Senator SHAHEEN. Thank you. Last week, Senator Johnson and I met with a number of members of parliament from Estonia, and one of the things that they talked about was the importance of European unity with respect to Ukraine.

They were also quite anxious that we reconsider whether or not to station more troops in the Baltic nations, something that I have also heard from Poland and some of the other Eastern European countries.

Can you tell us if that is on the table for consideration as we are thinking about how to respond to what Putin is doing?

Ms. NULAND. Yes, Senator. At the NATO ministerial last week, there was a commitment among allies that we needed more advice and more options from our NATO military authorities with regard to the consequences of any move by Russia deeper into Ukraine, and what that would mean for the eastern edge of the Alliance and what it would mean about our need to be more forward deployed in the East. Again, I think that was also a subject of conversation in this morning's phone call.

Senator SHAHEEN. Belarus, now that it seems to be totally within Russia's control, also presents another front for the potential for Russia to invade Ukraine. Can you speak to whether we view what is happening in Belarus in that way?

I know the Ukrainians view it that way because we heard that when we were in Halifax for the International Security Forum and met with some Ukrainian officials.

Ms. NULAND. As you know, Senator, the situation in Belarus is just tragic and really concerning in many, many ways, which is

why the Administration, along with the European Union in a multilateral way, increased sanctions just last week, including blocking the sale to us or to Europe of one of the great sources of Lukashenko's money, potash, et cetera, and sanctioned some dozens more Belarusians responsible for the violence and intimidation there and, particularly, now for the weaponization of migrants pushing—accepting them from third countries and then pushing them against the EU's border in a very cynical and dangerous way.

I think you are talking about the potential, as Lukashenko becomes more and more dependent on the Kremlin and gives up more and more of Belarus' sovereignty, something that he told his people he would never do, that Russia could actually use Belarusian territory to march on Ukraine and/or mask its forces as Belarusian forces. Those are both things that we are watching and it was particularly concerning to see President Lukashenko make a change in his own posture with regard to Crimea. He had long declined to recognize Russia's claim on Crimea, but he changed tack a week ago, which is concerning.

Senator SHAHEEN. Very much. I am out of time, but I just wanted to raise an issue you brought up in your opening remarks with respect to the effort to confirm our ambassadors and State Department officials and the effect it is having currently of hamstringing our foreign policy efforts around the world.

I know this committee has worked very hard in a bipartisan way to try and move those appointments, but they are being held up on the floor by a small group of Republican colleagues, who have other issues, who do not want us to move forward.

I hope that you will share with everybody on this committee and those holding up those appointments what that means to our diplomacy and our foreign policy when we cannot get our people in place to protect American interests.

Ms. NULAND. Thank you for that, Senator, and thank you for how stalwart you have been on this subject.

As I said in my opening, we are on the field at quarter power as our adversaries and as the autocrats are on the field at full power and, frankly, on the march. We need all of our assistant secretaries confirmed in the department.

We still have, I think, less than 10 confirmed and we need all of our ambassadors out in the field. As good as our chargés are, it is not the same as having been the President's choice and to have the advice and consent in a bipartisan way of this Senate.

So 85 of our best, political and career, awaiting floor action, and think about the message that that sends to Russia and China. Thank you.

The CHAIRMAN [presiding]. Senator Johnson.

Senator JOHNSON. Thank you, Mr. Chairman.

Under Secretary Nuland, welcome. I, certainly, appreciate you spending some time with us last night in the secured briefing and I think it is important that you are here today.

I want to associate myself with remarks of the chairman and the ranking member. I think if there is one thing that Vladimir Putin ought to understand is how unified we are. I mean, there are many things that divide us politically in this country, but when it comes to pushing back on Russian aggression, supporting countries like

Ukraine that are trying to develop their freedom, free themselves from the legacy of corruption from their former involvement with the Soviet Union, we are very strongly united.

Often within this discussion, you were talking about an unprecedented level of sanctions. I think it would be important for the public, for the Senate, for Congress, but for Vladimir Putin to really understand in somewhat granular detail what we are talking about, what we would impose on them and how harmful it would be to Russia and, unfortunately, to Russian people.

Vladimir Putin ought to be concerned about the Russian population more concerned than we are. We cannot allow this. Can you really describe the types of sanctions that you are contemplating and pushing with our European allies?

Ms. NULAND. Senator, thanks for that statement of unity and for your strong statement here today.

As we discussed last night in some detail, what we are talking about would amount to, essentially, isolating Russia completely from the global financial system with all of the fallout that that would entail for Russian business, for the Russian people, for their ability to work and travel and trade, and we are looking at the full suite of options.

I think in the context of the diplomacy that we are doing and the work that we are doing internally, I was gratified to have a chance to go through some of those specific measures in the classified session yesterday.

Going beyond that in this open session, I think, does not help us get from here to there, but everything is on the table, I would say, if that is helpful.

Senator JOHNSON. One thing that I believe, certainly, the Senate Foreign Relations Committee is pretty unified on—it may not be unanimous—was our support for sanctions against the Nord Stream 2 pipeline. I think many of us were very disappointed that those sanctions were not fully implemented and the construction continued.

I cannot think of a more powerful way to punish Russian aggression than by rolling back what progress has been made and, if at all possible, prevent the Nord Stream 2 from ever being completed.

Is that something that is being discussed with allies? Is that something that is being contemplated?

Ms. NULAND. Absolutely. As you recall from the July U.S.-German statement, that was very much in that statement, that any moves of Russian aggression against Ukraine would have a direct impact on the pipeline, and that is our expectation and the conversation that we are having.

Senator JOHNSON. Again, direct impact is one thing, but I am literally talking about rolling back the pipeline. Loosely, define that, but I mean taking action that will prevent it from ever becoming operational.

Ms. NULAND. I think if President Putin moves on Ukraine, our expectation is that the pipeline will be suspended.

Senator JOHNSON. I certainly hope the Senate Foreign Relations Committee would take up legislation to go beyond just suspending it, but from ending it permanently. Anyway, thank you, Under Secretary Nuland.

The CHAIRMAN. Thank you, Senator Johnson.

Senator Coons.

Senator COONS. Thank you, Chairman Menendez, Ranking Member Risch, and thank you, Under Secretary Nuland, for speaking with us today and for briefing the committee in classified session and for all the ways that you have been responsive and engaged as these important developments have unfolded.

Like, I believe, all of my colleagues, I am greatly concerned about developments along the Russia-Ukraine border and the very real threat that Putin poses to security stability throughout Europe.

In addition to serving on this committee, I chair the Appropriations Subcommittee that funds the State Department and USAID. What tools and funding within the FY22 State and Foreign Operations bill do you think would be most effective in deterring Russian aggression and in supporting our partners in Ukraine, yes, but also in other places throughout Eastern Europe and Georgia and elsewhere?

Ms. NULAND. Senator, I would like to come back to you with specifics, if I may, because I think we have not yet gone through chapter and verse if Putin does not heed the concerns and the warnings of what we will need to strengthen NATO, to strengthen partners who live on the edges of Ukraine, and to beef up our diplomatic presence as necessary.

I would like to come back to you, but one thing I will say is that I think we can, and I know this is close to your heart as well, need to do better in our Global Engagement Center and in the way we speak to audiences around the world and, particularly, on these kinds of subjects.

Senator COONS. Thank you, and I look forward to working with you on finding ways we can strengthen our investments. This week is the Summit for Democracy, which I expect will kick off a year of action. I have introduced a bipartisan bill today with Senator Graham that would strengthen our investment.

In particular, I think it is important that we invest in anti-corruption activists and pro-democracy reformers and in folks who are in countries under real pressure—Ukraine, Belarus, Georgia, many others—that we find ways to shield them from authoritarian surveillance and from the digital tools of repression.

A lot of us have been struck at the strength and the speed and the breadth of Putin's military preparations. Could Russia have any alternative goals in the region other than invading Ukraine?

What other goals might they be pursuing and how can we ensure that our statements of determination in partnership with the President to impose sanctions, to rally our European allies, and to stand up to Putin's aggression—which of those actions might be most successful in thwarting any other objectives that Putin might have through this military buildup?

Ms. NULAND. I think the concern is that President Putin's public lamentations and private lamentations about the demise of the Soviet Union have gotten noisier and stronger over the years, and just in the last year, in the last 6 months, he has increased his public comments to the effect that the sovereign nation of Ukraine is actually a part of Russia, belongs to Russia, et cetera.

The concern is that he is actually, as a legacy project, seeking to reconstitute the Soviet Union and then would his appetite be fulfilled with that eating or would he seek to go further.

I think this is why the unity here in the Senate, unity in the House, unity within the United States, unity in Ukraine, unity with our NATO allies and partners, and the significant consequences that we are talking about are so important and making clear that we are absolutely ready there.

I also think it is important to talk to the Russian people, as I have said to you before and have said to this committee. Nobody wants or needs war at this moment, least of all the people of Russia, who deserve better schools, better hospitals, better infrastructure, better health care, and that is where the wealth of that great country ought to be going, not on sending their boys to freeze on the Ukrainian front. Thanks.

Senator COONS. I agree, and I just want to close by emphasizing the simple forceful clarity with which you just testified before this committee that the United States' commitment to Ukraine's sovereignty, territorial integrity, and independence is unwavering.

I recently led a bipartisan delegation that went to meet with leaders of the EU, of the UK, and of the new German Government. It is my hope that they will be as unwavering and clear and forceful in their actions as that statement and that all of us on this committee will join in supporting your work and the President's work and that we will work with one voice to deter Russian aggression against Ukraine.

Thank you.

The CHAIRMAN. Thank you.

Senator Romney.

Senator ROMNEY. Thank you, Mr. Chairman.

I appreciate, Under Secretary Nuland, your work and your testimony today and yesterday, and the work that you do for our country. I wish to associate myself also with the comments of the chairman and the ranking member.

We are united in our commitment to a free and sovereign nation in Ukraine. I want to associate myself with the comments of Senator Portman last night as he spoke about the resilience and strength and character of the people of Ukraine and his conviction that were they to ever be invaded by a foreign foe like Russia that they would stand aggressively and defend themselves, and if, perchance, they were unsuccessful in, ultimately, having victory that there would be insurgency that would continue that would make sure that anyone who invaded them suffered a very high price for having done so.

I would like to associate myself with the comments of Senator Cruz as well, who indicated that the decision by this administration and prior administrations to allow the completion of the Nord Stream 2 pipeline contributed to Russia's feeling that they could amass troops on the border and, potentially, use their threat to obtain something that they deeply desire.

I am one of those that looks at Russia and, I guess, I will associate myself with Senator Barrasso's comments, that he was quoting, I think, Senator McCain, saying that Russia is a mafia-run gas station parading as a country.

Russia has real problems. Their population is declining. Their industrial base is weak, but they have extraordinary natural resources. As I look at Russia, I am concerned that their ambition does not stop with Ukraine, but that their—Putin's ambition, personally, is much broader and that what happens in Ukraine is an appetizer for a growing appetite on his part.

I would like to get your perspectives on what you believe or what the Administration believes Putin's ambition is, where he intends to lead his troops and his nation over the coming years, and whether his efforts in Ukraine are the beginning or the end of his sense of legacy.

Ms. NULAND. Thank you, Senator, for all those opening comments.

I will just say, again, here that I work very hard not to live inside the brain of President Putin so I am not going to speculate what his end state would be.

I would simply say that one should have considerable concern when you look at the public statements that he has been making with increasing frequency, including over the last 6 months, to the effect that Russia and Ukraine are one nation, et cetera, and not respecting their sovereignty and territorial integrity, and his laments about the death of the Soviet Union.

I have had the pleasure and the honor to know so many Russians over so many decades ever since I was a student and I was there not too long ago, and it is my firm belief that the citizens of Russia do not want a war with Ukraine.

They do not want body bags coming home. They want better health care, better schools, better roads, and better broadband. They want to live better, and President Putin could so much more worthwhile serve his own people at this moment when we are all having to build back better.

I hope that he thinks about what he owes his own people before seeking to acquire more territory.

Senator ROMNEY. I share your desire not to live within President Putin's brain. At the same time, there are elements that we, obviously, look at and try and draw inferences from.

One relates to something that is not connected to Ukraine, but that is his commitment to his nuclear arsenal. I think there were many of us that were hoping that as our arsenals, respectively, got older and would be retired, potentially, that we could reduce our nuclear investment and could shrink our nuclear armament.

Obviously, China's joining the nuclear race would have changed that to a certain degree, but Russia took a different course. Putin decided to invest massively—not so-called build back better, but to completely modernize his nuclear arsenal. What is the status of that at this stage and how does that compare to our own?

Ms. NULAND. Thank you, Senator.

We will get you a fulsome briefing, but simply to say that the New START treaty that was negotiated some 10 years ago and which was extended by the Administration caps the long-range nuclear arsenal.

You are right that President Putin continues to augment intermediate-range forces and short-range nuclear forces as well as build new exquisite weapons like his hypersonics, which are out-

side of any arms control regime, and to try to compete in building up their long-range conventional forces as well, which is why President Biden at the Geneva Summit in June pressed President Putin, and Putin did agree to get back into strategic stability talks bilaterally, and we have had two rounds of those.

I would say we are still at the nascent stage to try to get back into arms control to try to reduce the threat from these weapons and try to deal with asymmetries and concerns.

Senator ROMNEY. Thank you, Madam Secretary.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Murphy.

Senator MURPHY. Thank you, Mr. Chairman.

When my great grandfather came to this country he would have been considered a Polish immigrant because that is the country from which he came, but he did not consider himself Polish. He wrote on his immigration card that the country he came from was Ukraine. That was curious because that country did not exist at the time, but he had a sense of where he was from. He had a sense of the country that he believes should exist.

The story of Ukrainian nationalism has been a confusing one, an elusive one, a land that has been occupied over and over by contesting armies, but something different has happened in that country since what has been referred to as the Revolution of Dignity. I got the chance to be there on Maidan during the midst of that revolution with you and Senator McCain.

As to the question of how easy an invasion will be, as to the question of what a counterinsurgency may look like, as Senator Romney posits, there is inside it a question of what Ukrainian patriotism and nationalism looks like today compared to, say, what it felt like and looked like in 1941.

Putin is making a bet here that an invasion of Ukraine today may look like it did 60 years ago. That is probably not the case. They have not only gotten a taste of independence since their break from the Soviet Union, but in the last 10 years they have got a sense of what real self-determination looks like, and this forging of identity that has happened in the last 8 years, I think, is relevant to this question of what this invasion might look like and feel like for an invading army.

Just a minute or two on what you have seen with respect to the development of Ukraine's sense of self since the events of 2013.

Ms. NULAND. Thank you, Senator, and I agree with you.

From the Revolution of Dignity, which really was about Ukrainians all across the country—not just in Kyiv, but also in Ukraine's east—saying that they wanted the right to have a closer relationship with Europe, to live more as Europeans live.

Through the 10—almost 10 years that have—well, 8 years that have passed since, I think Ukraine has really come back to its sense of independence and sovereignty and a path that very much they would like to look more like Paris and Berlin than like what they see in Sverdlovsk and Ekaterinburg at the moment today, and that has to do with individuals being able to live better and work better and have a cleaner, more open choice in the way they forge their lives.

I think it is also true that the state of Ukrainian nationalism has always been fierce, going back to 1917 or wherever you want to start counting, and to bet against Ukrainian patriotism is very, very dangerous, as a lot of Russians have found already.

Unfortunately, there are many, many reasons why none of us should want a war. It will be extremely bloody and difficult for Ukraine, but it will also be extremely bloody and difficult for Russia, and many of them will not go home as they came.

Senator MURPHY. Second—very well said—second, on this question of Russia being a very complicated and advanced gas station, gas stations cannot stay in business unless they have customers and Russia has all sorts of customers in and around its periphery. Many customers that see Russia as an adversary are still doing a tremendous amount of business.

We passed legislation out of this committee several years ago, signed by President Trump at the time that would allow for the U.S. Development Finance Corporation to do additional deals with countries that want to make themselves energy independent, and we allowed that to happen not just in the developing world, but in other nations as well.

The Three Seas Initiative is a really important initiative linking the—essentially, the ring of countries that are either former republics or satellite states of the Soviet Union together. They are begging for U.S. participation in their projects necessary to make them more energy independent of Russia.

Is this not an opportunity for the United States to step up and take some of these customers away from Russia's gas station?

Ms. NULAND. Absolutely, as we have been doing with our support for more LNG terminals around Europe for many years, as we are doing now in our support for green alternatives not just in the United States, but in Europe as well, and many, many U.S. companies are involved with that, but that particular belt of Three Seas countries is absolutely crucial, as you said.

Senator MURPHY. I would just note, Mr. Chairman, I do not think we need to persuade Secretary Nuland, but right now there are no plans in the Administration to put DFC dollars behind Three Seas, something that this committee, I think, in a bipartisan way could work on moving forward.

The CHAIRMAN. Thank you. I appreciate this.

Senator Rubio.

Senator RUBIO. Secretary Nuland, I agree with all of the assessments that have been made about Vladimir Putin that he seeks to establish great power parity with the United States and, therefore, tries to show force and power around the world.

I also think he is driven, to some extent, maybe a great extent, by the ego and the drive to bring Ukraine into at least the Russian sphere of influence if not into the Russian Federation as—and cement his legacy as the uniter of a greater Russia.

I think there is a third factor here that I am curious whether you agree with and that is that he also thinks that the West—and I, by no means, am a fan of Vladimir Putin and I am confident that they are not fans of mine—but their thinking, as irrational as we may think it is, that we want to turn Ukraine—the West in general, the U.S. in specific—into a base of operation to threaten their

security and/or to undermine their internal cohesion and the like and, therefore, he is using this as an opportunity to try to impose neutrality—at a minimum, impose neutrality on Ukraine.

If that is, in fact, at least a primary motivator in the short term of this threat of military action, then I would imagine that he has already been publicly messaging what his asks are.

The first is that we would pull back NATO forces from anywhere near their western border, the second is to completely rule out the admission probably not just of Ukraine, but Georgia as a member of NATO, and the third is to stop arming Ukraine.

Are those three conditions that he has publicly messaged already, would the United States agree to any of those three?

Ms. NULAND. All of those would be unacceptable.

Senator RUBIO. Let me ask you about another trend that I think is disturbing as you sort of follow it. On the one hand, we see a growing amount of what appears to be, including here in our own—I have seen some here domestically, too, but this messaging that Zelensky is a U.S. and Western puppet, he is ineffective, he is corrupt, and that he is not acting in the best interest of the Ukrainian people. So that disinformation can be anything.

One of the things we are seeing in real time is what hybrid warfare looks like to prepare the groundwork at the same time, sadly, as we see a confederation of oligarchs, opposition politicians, former government officials, all with their own agendas, looking to undermine Zelensky at the same time as some of this is happening, I imagine, some of them, perhaps, in coordination with the Kremlin, others just doing it because they want to be president instead.

What options do we have on both fronts to deal with this sort of disinformation hybrid warfare campaign that they are undertaking to prepare the ground for all of it and, in particular, on addressing these oligarchs, former officials and others who clearly understand that what they are doing would aid Russian efforts and Putin's efforts, and nonetheless continue because of—some because of personal ambition, others, I imagine, because of financial gain, to move along this track? What options do we have on those two things?

Ms. NULAND. Among the many counsels that we are giving to Ukrainians and that President Zelensky is also now giving to his country is that at this moment of challenge for Ukraine, unity among patriots, unity among Ukrainians who believe in the sovereignty and territorial independence of their country, is absolutely essential and that none of them should fall into these traps that the Kremlin is setting to divide them or pit them against each other.

You know that democracy is a relatively new sport in Ukraine. They occasionally play it rough, as others do, but now is absolutely a moment for unity. Particularly with regard to disinformation efforts, efforts to blame the other guy for what you yourself are doing, we have encouraged the Ukrainians to apply that best adage, which is that sunlight is the best disinfectant and to be very vigilant about exposing Russian disinformation activities and payments and little gray men and little green men who are trying to infect politics, and that is something that they must do in this moment.

The CHAIRMAN. Thank you.

Senator Van Hollen.

Senator VAN HOLLEN. Thank you, Mr. Chairman, and thank you, Madam Secretary, for your service.

I want to begin by associating myself with the comments the chairman made at the outset, which is, number one, that Vladimir Putin should understand that there is going to be a strong unified severe response should he decide to invade Ukraine.

I am a big believer that sanctions are actually more useful and effective when you lay them out in advance and say to a foreign leader, these are the consequences if you take these actions, rather than trying to reverse action after the fact through sanctions. That is why last session Senator Rubio and I introduced the DETER Act because we thought it was important to make it clear what would happen if there was interference in U.S. elections, going forward, with a very strict set of sanctions.

Unfortunately, the previous administration opposed that approach, but I am pleased to see that the Biden administration is taking that approach with respect to what is happening in Ukraine, and, obviously, those are far more useful if we do so on a unified basis with our allies, as you have indicated.

The other thing that we need to, I think, underscore, and I know it has been discussed at this hearing, is the determination of the people of Ukraine because there was a time a long time ago where Putin was not viewed in Ukraine as a threatening individual compared to where it is today. I think he should be disabused of any illusions that he is going to be greeted in Ukraine as some kind of liberator of people who support him.

Can you talk a little bit about the Ukrainian people's sentiment for Putin? We have polling data. We also know that after Putin's action to annex Crimea—that sort of sent a shockwave through much of Ukraine.

If he thinks he is going to just sort of have a little bit of a fight and no resistance, I think it is important that he be disabused of that fact. Can you speak to that?

Ms. NULAND. Thanks, Senator, and I should have said this in response to Senator Murphy as well. Ukraine and Russia, obviously, their peoples have lived side by side forever and there is a lot of intermarriage and there is a lot of trade back and forth in the old days, and before the invasion of Crimea and of Donbas, I think 60, 70 percent of Ukrainians had a favorable view of Russia.

Today, after not only those invasions and biting off pieces of Ukraine, but also all of the stresses and tensions that have ensued otherwise, I think the support—friendly feeling towards Russia is not—among Ukrainians is at an all-time high, about 12 percent, something like that.

This is what Putin's own policies have wrought and he needs to understand that, and I just hope that his advisers are telling him the truth about how Ukrainians already feel, let alone how they will feel if they are aggressed.

Senator VAN HOLLEN. Thank you. I think it is important to underscore that because you never know what his advisers are saying, but it is pretty clear that the Ukrainian people have a good sense of what Putin's mindset is because their views of Russia

changed after his actions against Crimea and the actions in eastern Ukraine.

I think that it would be a very bloody fight. Lots of people would be killed and injured, and I think it is really important that the international community and the United States do as what—as we are doing today, which is letting people know that there will be a very strong severe reaction. I appreciate the President's message in the phone call today.

You may have covered this, but what is your sense about whether our allies—our European allies and others—are willing to support us in not just sanctions against individuals, we are talking about sectoral sanctions, right, against the financial industry, banking industry, other areas, the kind of things that Senator Rubio and I laid out in the DETER Act? How do you assess their support for that?

Ms. NULAND. Again, we have been working with our allies intensively since the President was at the G–20 meetings in Rome and our sense is that their appreciation for the dangers we may confront and, therefore, their appreciation that the deterrent that we put up needs to be real and needs to be unified is growing by the day, as evidenced by the very strong statement we had from the head of the European Commission just today in speaking to her ambassadorial core, and I think you will hear more of that, going forward.

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

The CHAIRMAN. Thank you.

Senator Portman.

Senator PORTMAN. Thank you, Mr. Chairman.

We live in dangerous times, do we not? This is a deadly serious moment in the history of Ukraine and in the history of the region. I thank you, Ambassador Nuland, for your time and effort and spending some time with us last night as well.

I know that President Biden spoke with President Putin on this subject today and I look forward to getting the readout from that. I know we all do.

Senator Risch and I sent a letter last week to the President urging him to show absolute support for Ukraine and to let President Putin know in no uncertain terms that there would be serious consequences and also to reject the unreasonable Kremlin demands.

I would like that letter, without objection, to be included in the record.

The CHAIRMAN. Without objection.

[EDITOR'S NOTE.—The information referred to above can be found in the "Additional Material Submitted for the Record" section at the end of this hearing.]

Senator PORTMAN. I visited the Maidan in 2014. The tires were still smoldering and that Revolution of Dignity changed everything. Ukraine decided to turn to us and to the West and to freedom and democracy, and it was a momentous decision. They chose to stand with us and now it is our turn to stand with them.

We have done that over the years. I mean, if you look at what happened with regard to the Ukraine Security Assistance Initiative, which I co-authored, over the past 6 years the United States

has transferred defense articles, conducted training with the Ukrainian military. We have been very engaged.

I would ask you, Ambassador, this week we have the NDAA likely to be voted on and likely it will include an increase in that lethal defensive funding. What defensive weapons has Ukraine asked for and what is the State Department willing to provide them under an expedited process?

Ms. NULAND. Senator, we had a chance to talk about this at some length in the classified session last night, and I appreciate the time and the detail that we were able to go into there.

I think, given the fact that the threat is now coming not simply from the East, but from three sides of Ukraine, what they are seeking is, largely, more of the defensive lethal equipment that we have already given them, these same kinds of things that you actually do not deploy in an offensive way, but that are essential for defenses——

Senator PORTMAN. Anti-aircraft, anti-tank weaponry?

Ms. NULAND. Exactly.

Senator PORTMAN. Let me ask you this. If there is an invasion, I believe that Russia will not face anything like the same Ukrainian resistance it did in 2014. With all due respect, at that time the Ukrainian military had not been modernized. They were disorganized. They were a new country, in essence.

The Ukrainian military has now made significant strides in professionalism and enacted important defense reforms, and, again, the United States and our NATO allies have been very involved in that.

What domestic factors is President Putin considering when weighing the option to invade Ukraine? Does he have sufficient domestic support, despite that all calculations indicate that Russia is going to experience high casualties? Has he factored in the cost of additional sanctions, including severe sanctions, such as denial of access to the SWIFT banking mechanism?

Ms. NULAND. I think it is important that not just President Putin, as he got the message very clearly from President Biden today, but that the Russian people also appreciate the kind of things that are being contemplated and the kind of risk that their president is, potentially, taking them into, including for their sons and daughters who serve.

I would just add to your list with regard to the capability of the Ukrainian forces and, obviously, Russia is so much bigger and their force is so much bigger, but Ukraine is better trained now.

In addition to that, many, many Ukrainians have served and are now returned to civilian life, some of them with that training as well. That is something to factor in.

I have not seen any Russian polling, but what I have seen is the Kremlin spreading huge amounts of disinformation, including inside Russia, to try to make the case that Russia is under threat from Ukraine, and nothing could be further from the truth. There is no threat to Russia from Ukraine.

He is trying to prepare the ground in his own body politic, but, again, he might do better to listen to the needs that they have as they try to come out of COVID, which have much more to do with

their daily lives and their roads and schools and hospitals and health care.

Senator PORTMAN. I agree with that and I think it would be a grave mistake if Putin were to decide to invade again, and I think this time he would meet a very different and more capable resistance.

My hope is that in the next several days we will be able to continue to send those strong messages through a vote on the National Defense Authorization bill, but also in other ways to let Russia know in no uncertain terms of the severe sanctions that would accompany any kind of invasion.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Kaine.

Senator KAINE. Thank you, Mr. Chair. An important hearing. Thank you, Secretary Nuland.

I have a question and a concern. My question follows up at the very end of your dialogue with Senator Johnson. You said your belief would be that if Russia further invaded the country of Ukraine that the Nord Stream pipeline would be suspended, and I want to pick up on that.

The pipeline has been the subject of much controversy here. No one is pro-pipeline in the sense of making Russia happy, but we have allies that are important to us who are pro-pipeline, and the Administration and the past administration have tried to balance that.

Do you think our European allies, including those who have been more in the pro-pipeline camp, would find a Russian invasion of Ukraine so troubling that they would be willing to work together with us to either stop the pipeline from being certified—it is in a certification process—or stop the operation of the pipeline?

In other words, would an invasion of Ukraine tip the balance so that our allies would join together with us to make sure that the Nord Stream pipeline was truly suspended, as you indicated?

Ms. NULAND. I believe that it absolutely would, Senator. As you know, this is gratuitous anyway. They do not need any additional energy from Russia.

Senator KAINE. The German Government is brand new so we are working with them on this issue, but, again, without putting too many words in their mouth because they are new, while the Government in the past has been somewhat pro-pipeline, your view of the new government is they would view a Russian invasion of Ukraine as sufficiently dire that that would cause them to maybe reassess the plusses and minuses of the Nord Stream pipeline from their standpoint?

Ms. NULAND. The President is having his first opportunity today—perhaps, even as we speak—to speak with Olaf Scholz now that he is chancellor, as Chancellor Scholz, so we will have a better sense of that.

I would say that we have already been speaking to him in his role as finance minister, and I have no doubt that he understands the seriousness of the situation that we are facing.

Senator KAINE. Now I want to raise a concern that I have and I am—I want you to tell me whether my concern is a fair one, but

I am going to be particularly happy if you actually tell me that I do not need to be concerned about this. I have a concern, but maybe I need not to have a concern.

We have talked about the crushing sanctions that could fall upon Russia should they push west in a military invasion of Ukraine and we have talked about the kinds of sanctions that we might contemplate together with our allies.

My concern is this. If the United States and the West's response to a military invasion is sanctions, but no military response—obviously, we are providing military aid to Ukraine and we have been generous in that way—but if we are not willing to help a Ukrainian military that is 50,000 people matched up against Russia, I would think that China would conclude, boy, the West sure is not going to come to the aid of Taiwan if we were to do something on Taiwan, because China would conclude, we are much more militarily powerful than Russia is, and the status questions about Taiwan and sovereignty are a little bit murkier than those about Ukraine.

There is no NATO in the Indo-Pacific. We have allies in the Indo-Pacific, but we do not have a NATO with a charter with a self-defense article.

I think China would determine if the West's response to a military invasion went as far as sanctions, but no further that the United States and other nations would be extremely unlikely to use military force to counter a military invasion of Taiwan, and I think Taiwan would likely conclude the same thing.

I am very concerned about that and I wonder, is that a fair concern that I have about how the Chinese and the Taiwanese would view the West's unwillingness to provide more significant military support to stop an invasion by Russia? Is my concern a fair one or is my concern overwrought?

Ms. NULAND. Senator, in this setting, I would simply say that this is a moment of testing, and I believe that both autocrats around the world and our friends around the world will watch extremely carefully what we do and it will have implications for generations.

Senator KAINE. Those implications could go far beyond Ukraine?

Ms. NULAND. They could go well beyond Europe, yes.

Senator KAINE. Thank you, Mr. Chair.

The CHAIRMAN. Thank you.

Senator Barrasso.

Senator BARRASSO. Thank you, Mr. Chairman.

Secretary Nuland, over the years I have traveled to Ukraine numerous times. Eight members of the Senate—a number of members of this very committee—were in Ukraine when Russia invaded Ukraine and annexed Crimea in 2014.

On another trip, traveled with Senator McCain and Senator Cotton. We went to eastern Ukraine, met with courageous men and women fighting for their country's freedom and their future—I mentioned this to you last night—because every day they battle along the frontlines against separatist forces and more than 14,000 Ukrainians have already died in fighting on that eastern region.

I know firsthand that the heart and the courage and determination of these freedom fighters, and Ukrainian armed forces fight

bravely. They fight fiercely. They do not back down. Ukrainians are absolutely willing to die for their homeland.

If Vladimir Putin thinks that he invades and it is going to be easy, it is not. I will tell you, I believe much Russian blood will be spilled and there will be Russians going home in body bags if he invades this country.

The United States and our allies, I believe, must do more to deter Russia by increasing the costs of aggression, and I am always looking for ways to do that. I think we need enduring strategic response from the U.S., from Europe, and from NATO.

I am looking in terms of how we can respond to put Putin's bold and dangerous behavior away because the repercussions go far beyond Ukraine and we need to make sure we do not fail this test.

When I talked to President Zelensky in September of this year, he said they needed anti-tank missiles, anti-aircraft missiles, better radar, and that is in that location.

I am going to ask you what you believe President Putin's ultimate objective is and how we need to stay ahead of his efforts.

Ms. NULAND. Again, I work hard to stay out of the inside of President Putin's brain. That said, he has been pretty clear about his regret at the fall of the Soviet Union and his regret that Ukraine and Russia are no longer one country and about his skepticism with regard to Ukraine's sovereignty, territorial integrity, and independence, and I think that is what is motivating here is that he may be trying to leave as his legacy the reconstitution of something that was rejected by the people of the lands that he is moving on.

Senator BARRASSO. You have been an observer for a long time. I remember discussing with you Bob Strauss' book, that while he was there as the ambassador, who was—for President Reagan that you were there as a young staff member in Moscow at the U.S. Embassy in Russia.

You have been studying this a long time. You know how Putin uses energy as a weapon. I think earlier today you said energy is the cash cow that funds these military deployments, and with high oil prices now $80 a barrel, if not going higher—I think his budget is based on $40 from what I have been following over the years in my time in the Senate—that is putting a lot of money and giving him firepower that he might not have had in previous times.

I want to ask about how the way he uses energy as a geopolitical weapon because in July, President Biden and German Chancellor—then Chancellor Merkel agreed to re-impose sanctions if President Putin used gas as a geopolitical weapon.

Since then, the world has watched Russia use natural gas to coerce and to manipulate countries all around Europe, severely limited the flow of gas through Ukraine, no longer delivers gas to Hungary through Ukraine due to a side agreement where they can bypass it.

Moldova has declared a state of emergency due to Russia threatening to cut off gas and they only avoided a crisis by agreeing to a longer-term contract. As physical construction on Nord Stream 2 nears completion, Putin reduced gas production and deliveries to dramatically increase prices. The spot prices soared. Where do you

see the Biden-Merkel promised sanctions against Putin for using gas as a weapon?

Ms. NULAND. I think you are referring to the July agreement between the U.S. and Germany, which sought to address the stress on Ukraine that the Nord Stream 2 pipeline was putting into effect.

So that agreement speaks to a number of things, first of all, helping Ukrainians themselves wean themselves off of dependence on Russian energy and make a green transition, but also a commitment that if Ukraine faced aggression and pressure of a significant kind from Russia in the energy field that it would have a direct impact on Nord Stream 2.

I think reiterating that commitment and hearing the new German Government reiterate those commitments will be very important and that is something that we are seeking in this context.

Senator BARRASSO. Just finally, I mean, I just have concerns if we do not abide by a Biden-Merkel agreement we send to Putin—it shows that we do not keep our word. Then it you makes you wonder what threats of additional sanctions we will have on Putin in that situation.

Ms. NULAND. I agree with you.

Senator BARRASSO. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Markey.

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

Thank you for being here and for your great work, and many of my colleagues are focusing upon Nord Stream 2 and its geopolitical implications. I want to discuss our own complicity in contributing to the financial engine powering Putin's destabilizing behavior, our addiction to Russian oil in the United States.

According to the Oxford Institute for Energy Studies, roughly, 80 percent of Russian oil and gas revenues come from oil while only 20 percent come from natural gas. The United States imported more than 800,000 barrels of Russian oil a day, on average, in June of 2021 and the price of that oil is skyrocketing.

Russia is now the United States' number two supplier of crude oil and petroleum products in 2021. We only import more oil and petroleum products from Canada. Most years anywhere from one-third to more than one-half of Russian federal revenue is the direct result of their fossil fuel exports and profits and the roughly 800,000 barrels of oil per day that Americans import contribute to an estimated $20 billion annually in American dollars going directly into the pockets of Russian petrol oligarchs.

Oil profits also fuel corrupt actions and human rights violations by Putin and his cronies' actions, which have been detailed over years by investigative journalists and activists, including Alexei Navalny, who Putin is trying to brutally silence.

Yet, we just continue to feed their revenues year to year by allowing their oil to flood our markets and that oil is coming directly from Siberia to the United States of America and, ultimately, into the pockets of Putin and his cronies.

Do the U.S. dollars that we spend on Russian oil contribute to Russia's ability to engage in abuses at home and malign activities throughout the region?

Ms. NULAND. Senator, thank you for all that. I think you know that the United States does not and our suppliers do not buy—we are not engaged in contracts with countries. We buy oil on the open market, and there are certain kinds of heavy and dirty oil that we need in certain parts of the U.S. that Russia is a major supplier of.

I think your question is well put. Whether in the context of where we know this revenue goes, those independent free market purchasers of that particular source might want to, how shall we say, purvey their oil with a conscience.

Senator MARKEY. Yes. Again, my concern is that while we talk about natural gas going into Europe, we actually import at least as much oil from Russia as well, and those revenues are going into the very same oligarchs' pockets and, ultimately, to Putin.

My concern here is that we understand this and that we start to think about how we can use those oil imports that go to the United States as a weapon back at Russia as well, as we are talking about sanctions, as we are talking about putting strong restrictions upon them.

All of that oil that is coming into our country is something that, I am sure, causes real bemusement to Putin, knowing that, and I think the Germans are aware of it as well, that as we—we are trying to preach temperance from a barstool and we ourselves have to square up our own domestic oil policy since so much of the revenues that Putin gets comes from American consumers at the pump.

When the construction of the Nord Stream 2 pipeline continues, it did so during the Trump administration including even after sanctions were imposed by the United States. Is that correct?

Ms. NULAND. The vast majority of this pipeline—90 percent of it—was constructed during the period of the Trump administration and no sanctions were imposed until 2 or 3 days before President Biden took office.

There were many opportunities for the Trump administration to take action, which it did not take, against Nord Stream 2.

Senator MARKEY. Right. I think it is important, again, that when Joe Biden became president the pipeline was over 90 percent complete already.

Ms. NULAND. That is right.

Senator MARKEY. Yes. From my perspective, I just think it is very important for us to understand what the Trump administration was doing during those 4 years and that we just not ignore the whole history that got us to this point.

Thank you so much. Thanks for your great service. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Senator Cruz.

Senator CRUZ. Thank you, Mr. Chairman.

Secretary Nuland, we are here in a circumstance that neither you nor I wanted to be here. Sadly, when you predicted to this committee, what I predicted to this committee, and, indeed, what members on both sides of the aisles knew might happen appears to be happening.

We have some 100,000 Russian troops massed on the border of Ukraine, and according to declassified documents from the Biden

administration the odds are significant that we will see a military invasion of Ukraine by Russia in the next 90 days.

This was entirely preventable. This disaster is the direct consequence of political decisions made by Joe Biden. One decision, in particular, caused this disaster and it was the decision to throw away our national security victory on Nord Stream 2 and instead to hand Vladimir Putin a multi-billion-dollar generational gift.

Just a moment ago with Senator Markey you were asked what are the democratic talking points which are, number one, the vast majority of the pipeline was completed under Donald Trump.

Yes, that happens to be true. It was completed before the sanctions legislation passed. I authored the sanctions legislation along with Senator Shaheen on this committee. Sanctions legislation passed in December of 2019. December of 2019, over 90 percent of the pipeline was completed.

What happened? Putin stopped building the pipeline the day President Trump signed that bill into law. Not the next day, not the next week, that day. The sanctions worked exactly as designed, and for over a year nothing happened. The pipeline was a hunk of metal at the bottom of the ocean. So an over 90 percent complete pipeline is a zero percent complete pipeline until you connect it and turn it on.

When did Putin begin constructing the pipeline? Joe Biden was sworn in as president on January 20, 2021. Four days later, January 24, 2021, is when Putin began building the pipeline again.

We had succeeded with a bipartisan victory stopping this pipeline until Joe Biden and Kamala Harris came into office and gave away our leverage and surrendered.

Why does that matter? Vladimir Putin did not wake up yesterday and decide he wanted to invade Ukraine. He has wanted to do that for a long time and, indeed, he has. In 2014, he invaded Ukraine, he invaded Crimea, but he stopped. He did not go all the way to Kyiv and one of the major reasons why is because of the Ukrainian energy infrastructure, that he could not risk damaging or destroying the ability to get Russian gas to Europe.

Nord Stream 2 was launched shortly after that initial Crimea invasion because if Putin can get an alternative means of getting gas to Europe he can send the tanks into Kyiv without fear of damaging his ability to get to market.

This summer, when Joe Biden gave away a massive bipartisan foreign policy victory, our allies, Ukraine and Poland, put out a formal statement on July 21 saying the Biden administration's surrender to Putin "has created a political, military, and energy threat for Ukraine and Central Europe." They were right. We are seeing this threat today.

Here is the good news. The Administration in which you serve—and I will note, you argued to do the right thing. You were overruled by your political superiors in the White House, but the Biden administration can still do the right thing.

Secretary Nuland, is it true or false that if President Biden decided to he could sanction Nord Stream 2 AG today?

Ms. NULAND. The waiver is currently in place. It could be lifted, yes.

Senator CRUZ. He could sanction then today. Let me ask you a question. If the Biden administration imposed sanctions on Nord Stream 2 AG, if it halted the certification of the pipeline so that the Nord Stream 2 pipeline did not go online, would that make invasion of Ukraine more likely or less likely?

Ms. NULAND. Senator, it is the German Government that has paused the certification of the pipeline itself right now. That certification is not going forward. You know that we believe this pipeline is a bad deal for Europe and a bad pipeline.

I do not believe that anything we would have done with regard to Nord Stream 2 would have changed Putin's calculus with regard to the buildup we have around Ukraine today. I believe he has an ambition to have and to hold Ukraine——

Senator CRUZ. Let me ask it another way. If Nord Stream 2 goes online and is operational, does that make an invasion of Ukraine more likely or less likely?

Ms. NULAND. Nord Stream 2 is not currently on track to become operational and it will be—it will——

Senator CRUZ. If it does. I am asking a hypothetical. If Nord Stream 2 goes online. I do not think it is coincidental that the predicted date for an invasion is almost exactly when certification is predicted to be over. I do not think that is accidental.

My question is this. If Nord Stream 2 goes online, does that make invasion of Ukraine more likely or less likely?

Ms. NULAND. I believe that President Putin will make his decisions with regard to Ukraine regardless of what happens to Nord Stream 2. I believe he has an aspiration to have control of Ukraine.

Senator CRUZ. He did not do that until the Biden administration waived sanctions. From 2014 until today, he has not done that and it was exactly what Ukraine and Poland warned us, that when this President surrendered to Putin it would create a security crisis in Ukraine. That is what it has done.

The CHAIRMAN. I think we have had all of our colleagues who were present or desires on WebEx to ask questions.

Can I ask you one last set of questions? Is Nord Stream 2 the reason that Putin is supposedly complaining about expansion of NATO?

Ms. NULAND. I am sorry, Chairman. One more time.

The CHAIRMAN. Is Nord Stream 2 the reason that Putin is complaining about expansion of NATO?

Ms. NULAND. No.

The CHAIRMAN. Is Nord Stream 2 the reason that Putin complains about supposedly defending Russian speakers in Ukraine?

Ms. NULAND. No.

The CHAIRMAN. Is Nord Stream 2 the reason that Putin alleges that Ukraine is not actually an independent country?

Ms. NULAND. No.

The CHAIRMAN. I could go down a list. Is Nord Stream 2 the reason that Putin says that Ukraine is actually the provoker in this set of circumstances?

Ms. NULAND. No, and, Chairman, if I may, I would just like to put one more fact in the record, which is that between December of 2019 when the PEESA legislation was passed and January 19 of 2021 there was only one sanction applied under it. Since Janu-

ary of 2021, the Biden-Harris administration has sanctioned 17 vessels and 8 people under the PEESA legislation in an effort to raise the costs for Nord Stream 2.

The CHAIRMAN. Our colleague suggested that Putin stopped at Crimea because he did not want to ruin the Ukrainian energy infrastructure, but is it not true that had he marched forward at that time he would have had probably the control of Ukraine, probably bloody even then, in the different circumstances than far more capable—a far more capable Ukrainian military now and still Ukrainian nationalism—but, nonetheless, that he could have marched forward and actually he would have controlled the Ukrainian energy infrastructure? Is that a fair statement?

Ms. NULAND. In fact, you could argue that in the Donbas he did take control of some 40 percent of Ukraine's coal reserves, which were a major energy input.

The CHAIRMAN. The fact of the matter is, as much as one would want to suggest that the question of sanctioning Nord Stream 2 was the alpha, the omega, the reason why Putin is acting today, Putin is acting today because he wants to reconstitute the Russia he knew, the one he laments consistently about that should be reconstituted, and that is his whole goal, regardless of what happened about Nord Stream or not.

Ms. NULAND. Frankly, Chairman, if we did not have the working relationship that we have with the German Government now, we would not be in a position to build the sanctions package that we are working on.

The CHAIRMAN. I hope the one thing that anyone in the world who is watching this hearing today takes away is that even on some of the most contentious issues of the day, on this one there is overwhelming broad bipartisan support for Ukraine. There is overwhelming bipartisan support for its territorial integrity. There is overwhelming bipartisan support for swift and robust action.

After conversations with some of the members of the committee, I look to galvanize that in some tangible way legislatively as we wait for the days ahead as to what may or may not happen.

With the thanks of the committee for your appearance both here today and yesterday in a classified session, the record for this hearing will remain open until the close of business on Wednesday, December 8. I ask questions for the record be submitted no later than that time.

This hearing is adjourned.

[Whereupon, at 4:24 p.m., the hearing was adjourned.]

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

RESPONSES OF MS. VICTORIA NULAND TO QUESTIONS SUBMITTED BY SENATOR ROBERT MENENDEZ

Question. Given the Kremlin's prior use of cyberattacks as a weapon, it seems we can expect it to use cyber operations alongside conventional forces in a potential invasion of Ukraine. What is the United States doing—and what more can be done—to deter Kremlin cyber aggression toward Ukraine, particularly with regard to critical infrastructure?

Answer. Russia is a full-scope cyber actor that remains a major threat against the military, diplomatic, commercial, and critical infrastructure networks of the United States and its NATO Allies and partners. With respect to Ukraine, we are working

to strengthen Ukraine's ability to harden its critical infrastructure through a whole-of-government approach that leverages the full range of U.S. Government capabilities—diplomatic, economic, law enforcement, intelligence, and military. We will continue to work closely with Ukraine and all our international partners to combat any potential Russian malicious cyber activities and hold Russian cyber actors accountable.

Question. What steps are we taking to help Ukraine bolster its cyber defenses?

Answer. We remain committed to providing support to the Government of Ukraine to assist in its efforts to mitigate and respond to cyber threats. Since 2017, the Department of State has allocated more than $40 million in cybersecurity assistance for Ukraine, including $5 million in new cyber assistance for nine ongoing assistance projects that focus on a whole-of-government approach to cybersecurity. These projects include bolstering cyber defenses of critical infrastructure sectors such as energy and financial services. In addition, we engage in capacity building work with Ukraine's National Computer Emergency Response Team (CERT–UA) that improves Ukraine's ability to protect its own networks and respond to cyber threats.

Question. I remain very concerned about the well-being of wrongfully imprisoned Americans Paul Whelan and Trevor Reed. Have we made any progress on these cases?

Answer. I, along with other senior U.S. officials, including the President, continue to press the Government of Russia to release Paul Whelan and Trevor Reed. The Department is prepared to provide a secure briefing to members on these cases.

Question. Has the Russian Government made clear any conditions under which it would release them?

Answer. The Department of State is prepared to provide a secure briefing to members on these cases.

Question. Russia continues to undermine the security and stability of the global internet with its lawless and irresponsible behavior in cyberspace. I understand that the Administration is currently engaging diplomatically with Russia on a variety of cyber issues. In the meantime, however, the United States and our partners and allies are facing an ongoing flood of Russia cyberattacks, from state actors like the SVR and from cybercriminals operating with the Kremlin's blessing. What is the status of the Administration's negotiations with the Kremlin on cyber issues and what results have those negotiations produced to date? Have any deadlines for negotiations been set and what outcomes are you hoping to achieve?

Answer. We are going to keep using the power and capacity of the U.S. Government to disrupt these criminals, their financial enablers, and their infrastructure. These efforts include White House-Kremlin experts group meetings seeking action against Russian ransomware criminals in their territory. We have shared information with Russia regarding criminal ransomware activity conducted from its territory, but have not yet seen Russia take action against these ransomware criminals. We were very clear with Russia: we are taking steps to protect the American people, hold ransomware actors accountable, and stand with our NATO Allies.

Question. To what extent has Russia cooperated with U.S. efforts to investigate and remediate ransomware attacks linked to Russian actors, such as the Colonial Pipeline and Kaseya incidents?

Answer. We have engaged Russia regarding ransomware actors emanating from its territory. A part of these efforts is the ongoing White House-Kremlin experts group meetings to seek Russian action against cyber criminals in its territory. We have seen reports that some criminal groups have shut down or reduced their activity. We have not seen additional attacks of the size and consequence of earlier in 2021, yet ransomware remains at unacceptable levels. We are going to keep bringing the power and capacity of the U.S. Government to bear to disrupt these criminals, their financial enablers, and their infrastructure.

Question. How can the Department more effectively mobilize U.S. allies and partners against Russia's reckless behavior in cyberspace?

Answer. Responsible states must stand together to impose consequences on bad actors. That is why we are strengthening our alliances and partnerships to collectively respond to malicious cyber activity. The Department of State led the development of a strategy that enables the U.S. Government respond more nimbly when cyber incidents occur. We also expanded our ability to work with international partners to attribute and respond to cyber incidents together, as shown by our response

to the SolarWinds intrusion when 22 non-EU countries, NATO, and the EU issued statements of support following our attribution of this campaign to the Russian foreign intelligence service (SVR).

Question. The Wagner Group has expanded its activities into sub-Saharan Africa. In the Central African Republic (CAR), it has been accused of human rights violations and harassment of U.N. peacekeepers, aid workers, journalists, and other civilians. It is reportedly negotiating a potential contract with the Government of Mali and made an unsuccessful foray into the conflict in Mozambique. To what extent does Wagner coordinate its activities in Africa with the Russian Government? Are Wagner's activities in Africa meant to advance specific goals of the Russian Government, and, if so, what are those goals?

Answer. The Russian-backed Wagner Group exploits insecurity in Africa as a catalyst to expand its destabilizing presence on the continent, threatening stability, good governance, and respect for human rights in the process. Wagner Group is often misleadingly referred to as a Russian private military company, but it is supported/backed by and used by the Russian Government as a low-cost, low-risk instrument to advance its goals. Given the Wagner Group's record elsewhere in Africa, any role for Russian mercenaries in Mali risks exacerbating an already fragile and unstable situation and will negatively affect future efforts by the United States and our allies to partner with the transition government.

Question. What specific steps has the Administration taken in response to Wagner's activities in CAR and Mali, and what is the Administration doing to prevent Wagner's expansion into Mali and other countries in the region?

Answer. The United States has condemned and sanctioned Wagner Group and related personnel and entities, and we coordinate with governments around the world to maximize the impact of our sanctions. We continue to support U.N. and other investigations into allegations of wrongdoing and invest in governance and security institutions that make countries less vulnerable and better able to counter these actions. We support the work of the United Nations Multidimensional Integrated Stabilization Mission in Central African Republic (MINUSCA), which plays an integral role in protecting civilians, supporting security sector reform, promoting respect for human rights, and reporting on abuses. We are also working within the Department and across the interagency to counter disinformation linked to Russian oligarch Yevgeniy Prigozhin, the leader and financier of the Wagner Group. We have been clear on our position publicly and with partners in the region—Wagner is a threat to security wherever it deploys, and it is important for the Malian public to know the negative consequences to Mali's security and scarce resources of bringing Wagner forces into the country.

Question. What steps has the Administration taken to work with partners and allies to counteract Wagner's presence and to convince other governments not to welcome or contract Wagner forces in their countries?

Answer. We have coordinated and engaged extensively with west African and European partners to amplify our concerns that countries that partner with Yevgeniy Prigozhin and Wagner become weaker, poorer, and less secure. Most recently, the European Union matched existing U.S. sanctions against Wagner, a move we applauded publicly. In Central African Republic (CAR), we continue to call for Wagner's departure and we support the United Nations Multidimensional Integrated Stabilization Mission's (MINUSCA) vital work to reinforce CAR's peace process, provide stability, and report on abuses. We are working with allies and partners to encourage the restoration of safety and security for the Malian people and a successful transition towards legitimate, constitutional rule in Mali.

RESPONSES OF MS. VICTORIA NULAND TO QUESTIONS
SUBMITTED BY SENATOR JAMES RISCH

Question. I am concerned that the Administration will engage in legal agreements with the Russian Government to avert military action against Ukraine. President Putin has stated that NATO's presence in Ukraine and advancement in Eastern Europe is a "red-line" for Russia, and I am concerned the United States and NATO could make legally binding concessions in exchange for a treaty or lesser agreement that include an unreliable commitment from Russia to not further invade Ukraine or violate its sovereignty. Can you please tell me if the Administration is prepared to join the Normandy format?

Answer. Yes, if invited.

Question. Can you please tell me if the Administration is prepared to encourage Ukraine to accept and implement Russia's interpretation of the Minsk Accords?

Answer. Our support for Ukraine's sovereignty, independence, and territorial integrity is unwavering, and we have not and will not push Ukraine to make concessions that could compromise these fundamental principles. We support a diplomatic, peaceful resolution to the conflict in the Donbas that fully restores Ukrainian control over its internationally recognized borders.

Question. Can you please tell me if the Administration is prepared to agree to end NATO expansion in Eastern Europe?

Answer. No, the Administration is not prepared to do so.

Question. Can you please tell me if the Administration is prepared to agree to end NATO aspirations for Ukraine, including reducing its role as an enhanced opportunities partner or eliminating its opportunity to pursue a membership action plan or full NATO membership?

Answer. No, the Administration is not prepared to do so.

Question. Can you please tell me if the Administration is prepared to halt the increase of military cooperation with NATO allies in Eastern Europe?

Answer. No, the Administration is not prepared halt cooperation.

Question. Can you please tell me if the Administration is prepared to reduce military cooperation with NATO allies in Eastern Europe?

Answer. The Administration does not plan to reduce military cooperation with NATO Allies in Eastern Europe. We stand with all our NATO Allies, including those in Eastern Europe, and remain committed to our treaty obligations.

Question. Can you please tell me if the Administration is prepared to reduce or halt bilateral security cooperation with Ukraine, including the reduction of lethal and non-lethal support, training, and intelligence sharing?

Answer. We have no plans to reduce or halt bilateral security cooperation with Ukraine. In his call with President Zelenskyy on September 1, President Biden reaffirmed the U.S. Government's unwavering commitment to Ukraine's sovereignty and territorial integrity. The President announced $60 million in military equipment, including lethal defensive weapons, under Presidential Drawdown Authority, that has been delivered. Also, we have and will continue to deliver additional defensive military equipment to Ukraine. We have committed $452 million in military assistance to Ukraine for fiscal year 2021, including using the Presidential Drawdown Authority. Additional deliveries of equipment, services, and supplies are planned through the Ukraine Security Assistance Initiative (USAI), Foreign Military Financing, and other programs in fiscal year 2022. We will continue to support Ukraine's capacity for self-defense through a variety of means, including foreign assistance appropriated by Congress.

Question. Would the Administration characterize granting such concessions with the goal of averting Russian military threats on Ukraine as appeasement? If not, please explain why.

Answer. We have no such plans. Our support for Ukraine is unwavering, and we have not and will not push Ukraine to make concessions that could compromise these fundamental principles.

Question. In the event an agreement with Russia is made to resolve the current crisis, what are the minimum legally binding commitments that Russia would have to make in order to ensure Ukraine will maintain political and territorial sovereignty?

Answer. We do not believe Russia would adhere to any legally binding agreement guaranteeing Ukraine's sovereignty and territorial integrity. President Putin and other Russian officials have been clear that their goal is the complete subordination of Ukraine as a vassal state and the end of the free and democratic Ukrainian nation. To resolve the current crisis, Russia must move its troops away from Ukraine's borders; take steps to fulfill its commitments under the Minsk agreements, including the withdrawal of its troops from the Donbas; and allow the full restoration of Ukrainian control over its internationally recognized borders and territorial waters.

Question. What are the ideal commitments Russia would make?

Answer. In the current context, Russia must pull back the military forces it has massed in Crimea and around Ukraine's eastern and northern border, cease its public threats and intimidation, and engage sincerely and constructively in diplomatic discussions with the United States, NATO Allies, and European partners about its

security concerns. More generally, Russia should cease its ongoing aggression against Ukraine and Georgia, withdraw its military forces from countries where they are present without host country consent, and abide by its international commitments, including the core elements of the Helsinki Final Act and NATO-Russia Founding Act.

Question. What measures must be included to verify that Russia would abide by such an agreement, as it has failed to uphold previous agreements, including the 1994 Budapest Memorandum?

Answer. The United States is willing to discuss measures to address Russia's security concerns, but any discussion must be based on reciprocity, address our concerns about Russia's own actions, and be fully coordinated with our NATO Allies and European partners. Moscow must also take steps to deescalate the unprovoked crisis that it has created in and near Ukraine by pulling back the military forces it has massed on Ukraine's borders and ceasing its public threats and intimidation. Russia's actions over the quarter century after the signing of the Budapest Memorandum on Security Assurances demonstrate a pattern of violations of its international commitments, which is precisely why the United States must maintain our defense and deterrence posture, sanctions on Russia, and security assistance to Ukraine.

Question. Do you commit to including Ukrainian political and military leadership in all discussions or agreements with the Russian Federation that will affect Ukraine's political, economic, and territorial sovereignty?

Answer. Yes. President Biden has made clear that the United States, its Allies, and its partners are committed to the principle of no decisions or discussions "about Ukraine, without Ukraine."

Question. Why has the Administration not yet used its authorities and resources to expedite new security assistance to Ukraine?

Answer. The Department remains deeply concerned by the reports of a significant Russian military build-up along Russia's border with Ukraine. Since the beginning of the armed conflict in 2014, we have provided more than $2.7 billion in security assistance to the Ukrainian Government. In CY 2021 alone, we provided approximately $650 million in security assistance to Ukraine. We are committed to Ukraine's sovereignty and security and are in the process of assessing the best ways to employ our legal authorities and resources moving forward.

Question. Do you commit to providing the committee with a full readout and/or transcript of the call between President Biden and Mr. Putin on December 7, 2021?

Answer. I commit to work with the committee to provide, through briefings or other interactions, pertinent information on this topic, though the Department of State does not control the specific records/information referenced.

Question. Do you commit to providing the committee with a full readout and/or transcript of the call between President Biden and President Zelenskyy on December 9, 2021?

Answer. I commit to work with the committee to provide, through briefings or other interactions, pertinent information on this topic, though the Department of State does not control the specific records/information referenced.

Question. Will you provide this committee with a full readout and/or transcript of the call between President Biden and NATO allies (the UK, France, Germany, and Italy) on December 7, 2021?

Answer. I commit to work with the committee to provide it, through briefings or other interactions, the information it needs on this topic, though the Department of State does not control of the specific records/information referenced.

Question. The President has said that he is "putting together what I believe to be the most comprehensive and meaningful set of initiatives" to help deter Russia from invading Ukraine. Will you provide a specific list of the action items included in this initiative?

Answer. I outlined certain elements during my classified briefing on December 6. As our package is refined, we will continue to consult with Congress in appropriate settings.

Question. Do they include more measures than sanctions?

Answer. Yes. We are also considering export controls and measures to strengthen NATO.

Question. Has the President authorized the transfer of new security assistance, using FY22 presidential drawdown authority funding?

Answer. We are currently considering a full range of options to determine how we can best assist Kyiv in the face of the threat.

Question. Will the Administration provide more lethal aid to Ukraine?

Answer. Historically, U.S. security assistance to Ukraine has included the provision of both non-lethal and lethal defense articles. In authorizing additional assistance, the Administration would look at what is required to enhance Ukraine's readiness and defensive capabilities. This could include lethal aid.

Question. In the July 21, 2021, joint statement, the United States and Germany stated, "this commitment is designed to ensure that Russia will not misuse any pipeline, including Nord Stream 2, to achieve aggressive political ends by using energy as a weapon." What is the Administration's definition of the "use of energy as a weapon?" How would the Administration define whether or not Nord Stream 2 is involved in "the use of energy as a weapon"?

Answer. The Administration remains very concerned about the weaponization of energy by Russia. The July 21 joint statement sent a clear message that both the United States and Germany will not tolerate Russia using energy as a geopolitical weapon or escalating its aggression against Ukraine. The Administration remains committed to working with U.S. allies and partners to impose significant costs on Russia if it engages in these kinds of malign activities.

Question. What is the German Government's definition of the "use of energy as a weapon"? How would the German Government define whether or not Nord Stream 2 is being involved in "the use of energy as a weapon?"

Answer. As detailed in July 21 U.S.-Germany joint statement, should Russia attempt to use energy as a weapon, Germany has committed to "take action at the national level and press for effective measures at the European level, including sanctions, to limit Russian export capabilities to Europe in the energy sector, including gas, and/or in other economically relevant sectors. This commitment is designed to ensure that Russia will not misuse any pipeline, including Nord Stream 2, to achieve aggressive political ends by using energy as a weapon." We remain engaged with German counterparts on implementing the package of measures detailed in the joint statement, including Russian actions that would trigger responses.

Question. Have the United States and Germany come to an agreement on the definition of "use of energy as a weapon," and agreed to take specific actions in the event Russia uses Nord Stream 2 to weaponize energy against Ukraine?

Answer. The United States and Germany remain committed to implementing the package of measures detailed in our July 21 joint statement. We continue to work with our German counterparts on appropriate actions and responses to Russian pressure on Ukraine.

Question. If Russia uses Nord Stream 2 to weaponize energy against Ukraine, is the Administration willing to further impose sanctions and lift current waivers on the pipeline and related entities with the goal of the complete prevention of Nord Stream 2's operation?

Answer. The Administration remains committed to implementing the Protecting Europe's Energy Security Act (PEESA), as amended, and continues to examine entities potentially engaged in sanctionable behavior. Any national interest waiver issued by the Secretary of State can be rescinded if the Secretary determines it is no longer in the national interests of the United States.

Question. Does the Administration believe that Russia and GazProm's recent political coercion of Moldova over proving gas constitutes the "use of energy as a weapon"?

Answer. The Administration remains very concerned about weaponization of energy by Russia. We took careful note of Russia's behavior toward Moldova during its recent contract negotiations and will continue to consult closely with the Moldovan Government.

Question. What is the delivery time for new security assistance?

Answer. We would work closely with our Department of Defense colleagues to expedite any proposed shipments to get it to Ukraine within weeks, no months. We would also continue to consult and update Congress throughout the process.

Question. What capabilities are most needed by Ukraine now, before Russia invades?

Answer. While I will not go into specifics, I can affirm that we continue to work closely with Ukraine to evaluate the specific requirements of the Ukrainian armed forces. The United States remains committed to providing Ukraine with the capabilities it needs to defend its sovereignty, independence, and territorial integrity. The United States has provided more than $2.5 billion in military assistance to Ukraine since 2014, including $452 million in military assistance committed for fiscal year 2021.

Question. What is the Administration doing now to help the Ukrainian people be prepared to resist occupation by Russian forces? What capabilities do the Ukrainian people need to resist occupation?

Answer. The Administration is engaged in a range of deterrence, civil defense, and humanitarian programs to support the Ukrainian people, both against Russia's ongoing aggression and in the event of a further invasion. We are actively working to bolster the ability of the Ukrainian Government to defend its territorial integrity and sovereignty, to increase civilian defense preparedness, and to secure critical infrastructure against potential sabotage and hybrid attacks. We continue to stress the importance of Ukrainian national unity and that the Ukrainian people have a right to a free and democratic future. They have shown they will fight for that right, and our support for them and for Ukraine is unwavering.

Question. What role are U.S. special operations forces playing right now to help prepare the Ukrainian people to resist occupation?

Answer. U.S. Special Operations Command Europe maintains routine contact and has long assisted in the development of Ukrainian special operations forces through regular training and validation exercises. This includes assisting Ukrainian special operations forces with developing the full spectrum of capabilities necessary to support the Ukrainian military's mission of defending Ukraine's sovereignty. I refer you to the Department of Defense for more detail.

Question. Has there been a policy decision to deny Ukraine air defense capabilities? If not, what are the obstacles to transferring air defense assets to Ukraine in the immediate future?

Answer. No. The Department of State is examining all options in support of Ukraine's self-defense needs. The U.S. Government has already provided more than $2.5 billion in security assistance to Ukraine since 2014.

Question. What did President Biden mean when he referred to "the Eastern Front"?

Answer. I would need to see the context of the President's remarks. He could have been referring to the eastern edge of NATO territory—Poland, the Baltic States, Romania, Slovakia, and Bulgaria. Or, he might have been referring to Ukraine's East—usually meaning territory east of the Dnieper River, including Donbas.

Question. What did President Biden mean when he referred to "major NATO allies", and to which countries was he referring? Are there non-major NATO allies?

Answer. A basic principle of the NATO Alliance is that all 30 members have equal rights and responsibilities, as reflected in the NATO Treaty.

Question. Do we understand correctly that, even as allies increasingly question the Biden administration's commitment to allied security in the face of Russian threats, Biden administration officials are currently touring allied capitals in an attempt to overcome strong allied opposition to a new "sole purpose," or other similarly-phrased nuclear declaratory policy? If this is correct, please describe these engagements, their objectives, reactions from allies, and implications for the confidence of allies in U.S. security guarantees.

Answer. That is not a correct assessment of the Administration's interactions with allies on nuclear policy. The Department of Defense, in coordination with the Department of State, has been conducting allied consultations in an iterative manner to ensure that allied and partner views are incorporated throughout the nuclear posture review (NPR). All Allied viewpoints and concerns will inform the Administration's decision making. President Biden has called our extended deterrence guarantees a "sacred obligation" and repeatedly has stressed that our commitments to our treaty allies are ironclad. I fully expect that the final NPR will ensure that the United States will have the capabilities needed to deter aggression, assure allies, and respond if deterrence fails.

LETTER FROM SENATOR RISCH AND SENATOR PORTMAN TO PRESIDENT BIDEN, DATED DECEMBER 3, 2021, URGING THE PRESIDENT TO SHOW SUPPORT FOR UKRAINE, TO WARN PRESIDENT PUTIN, AND TO REJECT UNREASONABLE KREMLIN DEMANDS

United States Senate
WASHINGTON, DC 20510

December 3, 2021

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Biden:

We write regarding grave concern we have about current U.S. policy toward Russia and the potential that further concessions will be made to President Putin.

Your administration has received information from the Kremlin that clearly expresses Russia's full intention to invade Ukraine unless the United States and NATO concede to Putin's following demands:

- "Reliable and long-term security guarantees" for Russia;
- "Concrete agreements" that rule out any further eastward expansion of NATO," particularly into Ukraine;
- "Legal, jurisdictional guarantees" that "weapons systems posing a threat to us in close proximity to Russia's territory" will not be deployed;"
- An agreement to not have "deployment in the territory of Ukraine of strike systems" from the West;
- A settlement of the Minsk agreements and Donbas in a way that is favorable to Russia.

We urge you to commit publicly that, despite the masses of Russian troops on Europe's eastern borders, the United States will not negotiate with Russia over Ukraine's future without Ukraine sitting at the table, and further commit that the United States will not pressure Ukraine into making concessions without reciprocal concessions from Russia.

Recent statements from National Security Advisor Jake Sullivan calling for "all sides," to de-escalate are very troubling, particularly when combined with comments from other senior officials like Secretary of State Blinken emphasizing full implementation of the Minsk agreements, which were imposed on Ukraine by Russia. While I too support a peaceful solution to the current crisis, that solution cannot be done on Russia's terms, ignore Russia's role in creating the conflict, and must not come at the cost of Ukraine's sovereignty and control over its own future. Their future is not ours to bargain away.

Your administration has resisted efforts to bolster Ukraine's defenses and deter Russia. We find ourselves in this position precisely because we have given into Russia's demands already. It is time to reverse course, lead by example, and act now to deter Putin. You already have sufficient authority, and we ask you to use the power under the Presidential Drawdown Authority to

immediately send a military assistance package to enhance Ukrainian military capabilities that includes:

- Air defense systems and surface-to-air missiles;
- Ammunition, particularly non-standard ammunition compatible with Ukraine's legacy Soviet-built equipment;
- Anti-tank guided missiles;
- Anti-ship capabilities;
- Counter-UAS systems;
- Counter-electronic warfare systems;
- Greater intelligence-sharing and coordination; and
- Other relevant capabilities.

The United States must lead NATO allies in developing a coordinated assistance policy to meet Ukraine's most urgent needs.

As we face this crisis and seek to avoid future ones, we need to reestablish deterrence and we are ready to support even more, as outlined in the *Ukraine Security Partnership Act* and the Risch Nord Stream 2 sanctions bill:

- Impose sanctions on Putin's malign energy project, the Nord Stream 2 gas pipeline – which is only emboldening him further;
- Increase the amount of funds available to support the Ukrainian military;
- Expedite the transfer of Excess Defense Articles to Ukraine; and
- Strengthen Ukraine's cyber defenses.

Our allies and competitors around the world are watching U.S. actions very closely. We must rebuild confidence with our NATO allies and send a strong signal to competitors like Iran and China not to test our resolve. Supporting Ukraine requires tough action to rebuild this confidence.

Sincerely,

JAMES E. RISCH
Ranking Member
Senate Foreign Relations Committee

ROB PORTMAN
Ranking Member
Senate Homeland Security and
Government Affairs Committee

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