

## Darfur: A 'Plan B' to Stop Genocide?

Andrew S. Natsios, President's Special Envoy to Sudan Testimony Before the Senate Foreign Relations Committee Washington, DC April 11, 2007

## As Prepared

Thank you, Mr. Chairman and Members of the Committee. I appreciate the opportunity to be here with you today to discuss how the United States (U.S.), together with the United Nations (UN) and our international partners, is addressing the crisis in Darfur.

A great deal has happened since I last gave testimony – some of it frustrating, some of it hopeful – but what has not changed is the Administration's firm commitment to ending the violence and responding to the immeasurable suffering of the people of Darfur. The only U.S. interest in Darfur is a peaceful end to the crisis. Our goals are to provide life-saving humanitarian assistance to the millions of people who have been affected by violence; to promote a negotiated, political settlement to the conflict within the framework of the Darfur Peace Agreement; to support the deployment of a robust African Union (AU)/UN hybrid international peacekeeping force; and to ensure the successful implementation of the Comprehensive Peace Agreement (CPA). We have no military or economic interests in Darfur and we oppose any effort by any group to separate Darfur from Sudan. While we have a relationship with the Sudanese government on counter-terrorism issues, this relationship has not prevented us from elevating humanitarian and human rights concerns to a pre-eminent position in our policy toward Sudan. As a country and as a government we are appalled by the atrocities that have occurred in Darfur including those in 2003 and 2004 when some of the worst violence occurred, and the United States has made solving conflict in this region a priority.

This is the third war in Darfur in just over twenty years, but it is by far the most destructive in terms of lives lost and people displaced. The current war is not a 'simple' conflict between Arab and African tribes, but a much more complex dispute fueled by drought and desertification, disputes over land rights, competition between nomadic herders and farmers, and longstanding marginalization of Darfur by the Government in Khartoum. The Sudanese government's disastrous decision to arm, direct, and pay Northern Arab tribes, now called the Janjaweed, as their proxies in the war against Darfur's rebels led to genocide and resulted in the deaths of hundreds of thousands of innocent civilians and the destruction of their villages and livelihoods.

Since then, the security situation on the ground has continued to evolve and has become increasingly chaotic. The Government of Sudan (GOS) is using the same strategies against Darfur that Sadiq al-Mahdi first developed and used against the south in the 1980s. By manipulating pre-existing tribal divisions, creating militias drawn from the youngest and most disenfranchised members of Arab tribes, forcing people from their homes, and separating them from their traditional leaders, the government has created a lawless environment where banditry and violence are on the increase as rebel groups and tribal structures fragment and begin to fight amongst themselves. We are now seeing more examples of Arab on Arab violence in Darfur, localized tribal conflicts, and looting, extortion, and hijacking by rebel groups. In January and February of this year, 80,000 people have been forced from their homes and into camps because of violence. In addition, regional political agendas are being played out in Darfur and violence and refugees are spilling across borders into Chad and the Central African Republic.

Against this backdrop, however, there are some small signs of hope and progress. Credible reports from Darfur indicate that there has been a slow, steady decrease in civilian casualties since January 2007 and direct fighting between the Sudan Armed Forces (SAF) and non-signatory rebel groups has virtually ceased in the past months. When I visited Sudan in October and again in December 2006, a broad range of GOS officials appeared to believe that they could solve their 'Darfur problem' through military means. This policy has proven to be a disaster as government troops have taken a beating at the hands of rebels and as they have lost weapons and equipment to rebel forces. I have stressed to Khartoum and the rebels that a military solution is not possible, as have our allies. Several regional powers have also begun to play a positive role. Most notably, in late February 2007 Libya brokered an agreement between Chad and Sudan to reduce hostility along their common border. Unfortunately, this appears to have unraveled in recent days and we note with great concern the recent attacks inside Chad against civilians in the villages of Tiero and Morena and escalating violence along the border.

However, these types of constructive efforts are welcome and we encourage Libya and other regional powers to work closely with the UN and AU on these initiatives.

Perhaps most heartening, groups inside Darfur are beginning to push back against the terrible violence they have seen over the past four years. The Nazir of the Southern Rizegat, the leader of an Arab tribe in South Darfur, has remained neutral over the course of the conflict despite attempts to draw him in. In other parts of Darfur, there are indications that Arab and African tribes are trying to rebuild cooperation, with a few scattered reports of groups returning looted livestock to the original owners and beginning to meet and trade in traditional markets.

We will continue to watch the security situation very closely. If the government and rebel groups continue to exercise restraint between now and the end of the rainy season, there will have been a full 20 weeks of relative quiet, enough time to restart political negotiations. If, however, either side breaks the fragile calm that appears to be holding between government and rebel forces inside Darfur – directly or through their proxies – we will take this as a clear signal that the parties to the conflict are not serious about the peace process and will respond in the strongest possible terms.

The current security environment has had an extremely negative impact on humanitarian operations in Darfur and eastern Chad. The U.S. Government's (USG) first and most urgent priority is to ensure the continued delivery of life-saving humanitarian assistance to the two and a half million internally displaced persons (IDPs) and refugees living in camps in Darfur and eastern Chad. While civilian deaths may have declined in recent months, people are still being forced from their homes and nearly 80,000 new IDPs have flowed into camps in January and February of this year. The U.S. has called upon all actors in Darfur – including the government, the Arab militias, the rebel signatories and the non-signatories – to cease all interference in the delivery of humanitarian aid. Representatives from NGOs have told me that there are now so many rebel groups in Darfur, it has become virtually impossible to negotiate deals for safe passage of workers and supplies. The number of security incidents against humanitarian agencies has increased, with more than a dozen local Sudanese staff killed, one expatinite woman sexually assaulted, and approximately 120 vehicles hijacked over the course of 2006. Much of this violence, particularly the theft of vehicles and supplies, has been perpetrated by rebels who seem more intent on stealing and looting than representing the people of Darfur. In my trips to the region I have met repeatedly with rebel leaders and have insisted that this type of activity cease immediately. While none of the rebels took responsibility for incidents, this message was clearly heard and we have seen a slight decrease in vehicle hijackings over the months, although the number remains unacceptably high.

Relief efforts are also being slowed by bureaucratic obstacles and continual harassment by the Government of Sudan. Visas and travel permits are routinely delayed or denied and humanitarian goods languish in customs for months. This seriously undermines the ability of aid workers to deliver needed supplies and services to civilians in the camps. We have pressed the government continually on this point, stressing that they should facilitate – not block – the delivery of humanitarian relief. During my recent trip to Sudan in March, I met with President Bashir and insisted that his government lift burdensome bureaucratic restrictions on relief workers. He gave his verbal assurance that this would happen and U.S. pressure, together with that of other donors, led to a breakthrough agreement signed March 28 between the Government of Sudan and United Nations that should significantly improve humanitarian access. If the agreement is implemented as written, it will signal the Sudanese government's intention to improve the humanitarian for aid agencies.

I should mention that despite difficult and dangerous conditions, humanitarian workers have done a remarkable job of providing life-saving assistance to two and a half million IDPs and refugees in Darfur and eastern Chad. This is currently the largest humanitarian relief operation in the world and the U.S. is the single largest donor of humanitarian assistance. We have contributed more than \$2.6 billion in assistance to Sudan and eastern Chad in FY 2006 and Have provided more than 72% of all humanitarian assistance to Sudan. USAID is sending 40,000 metric tons of food aid to Darfur every month and the U.S. provided 50% of the appeal by the UN World Food Program in 2006. In addition to food, the U.S is providing shelter, water, sanitation, health, and hygiene programs for those in need. We are also working to protect vulnerable populations such as women and children by improving physical safety and providing immediate services to victims of violence. Given the extremely rugged conditions in Darfur, this assistance is saving lives every day and we need to recognize the tremendous work the humanitarian community is doing.

The only way to achieve long term progress in Darfur is to promote a political settlement among all the parties to the conflict within the framework of the Darfur Peace Agreement, and this is where we are now focusing our attention. We strongly support a leadership role for the United Nations and African Union and stand ready to support the important work of Special Envoys Jan Eliasson and Dr. Salim Ahmed Salim. We believe that the UN and the AU can play a critical role in keeping the attention of the international community focused on a negotiated settlement and can help channel disparate initiatives into a coordinated peace process. This will help minimize duplication and confusion and will guard against 'forum shopping' by parties to the conflict. Again, these are issues that I raised in my most recent visit to Sudan in March and I received expressions of support for negotiations – without preconditions – from the Government of Sudan, including President Bashir. It remains to be seen whether the GOS will make good on these statements, but there appears to be a growing consensus among key members of the ruling coalition that a peace agreement with non-signatory rebel groups may be the only way out of the current crisis.

As the central basis for negotiations, the U.S. supports the Darfur Peace Agreement (DPA) signed by the GOS and the faction of the Sudan Liberation Movement headed by Minni Minawi (SLM/MM) on May 5, 2006. Despite some limitations, the DPA is a good agreement that outlines ways to address the root causes of the conflict, creates space for the delivery of humanitarian aid, and gives international forces a robust mandate to protect civilians and humanitarian workers. In further negotiations among non-signatories and the GOS, we support adding amendments, annexes, or clarifications to the DPA. What we do not support is starting from scratch and spending another year negotiating a new agreement that will likely be worse for the rebel movements and the people of Darfur. We have made this point to all parties involved.

We recognize, however, that implementation of the DPA has been slow and this has made rebel groups reluctant to join the political process. We have called repeatedly on the government to implement key portions of the agreement, including disarmament of Arab militias and empowerment of the Transitional Darfur Regional Authority. One of our most important tasks is to bolster the position of Minni Minawi, the sole rebel signatory to the DPA, in order to show that embracing peace yields dividends. He has been marginalized by the government on key decisions related to Darfur and the package of reintegration assistance promised to his troops under the DPA has materialized very slowly, if at all. Most recently, a violent and deadly March 24 attack by the GOS on a house run by SLM/MM in Khartoum and the fatal ambush of a senior commander in Darfur, only serves to raise questions about the seriousness of the GOS commitment to a negotiated peace. Non-signatory factions might ask why they should sign the Darfur Peace Agreement if the GOS continues to brutalize parties to the agreement.

The number of rebel groups now operating in Darfur also complicates a negotiated settlement. As I mentioned earlier, the GOS has played a major role in splintering opposition movements into factions and has attempted to buy off one group at a time rather than pursuing a broader peace through transparent negotiation with all parties. This tactic of divide and conquer creates inequality, dissatisfaction and mistrust among rebel factions, delaying or preventing the creation of a unified political position. Surrounding countries have also exacerbated divisions by providing support for rebel groups in pursuit of their own geopolitical agendas. As a result, we now confront a confusing array of rebel factions, the number of which fluctuates up to as many as fifteen at any given time. Rebel leaders frequently appear more focused on their own ambitions than on the well-being of people in Darfur. No peace agreement would have been possible in Southern Sudan had there been multiple rebel factions each with a different political agenda.

In January I met with rebel leaders to gain their perspective and to deliver a strong message from the U.S. government that they need to unify politically and support humanitarian operations. I stressed that while the people of the United States are appalled by the atrocities committed against the people of Darfur, the rebels should not translate that into support for their political movements, many of which are personality based and the goals of which are obscure. I have urged them to renounce the violent overthrow of the government of Sudan, which some have been publicly advocating, and which is an impediment to peace negotiations. I urged them to be flexible and practical about their demands in any upcoming negotiations; they will not get everything they ask for.

We have begun to see a number of good, new initiatives that feed into broader UN and AU efforts to negotiate a political settlement. One particularly promising initiative that the U.S. strongly supports is the process being led by First Vice President Salva Kiir, who is also the President of Southern Sudan. With the blessing of Khartourn, Vice President Kiir has consulted with Darfur's tribal leaders, community groups, and non-signatory rebel leaders in order to find a workable solution to the Darfur crisis. The Sudan People's Liberation Movement (SPLM) can play an important role in advising the Darfur non-signatory groups since they have the experience and credibility that comes from successfully negotiating the Comprehensive Peace Agreement with Khartourn.

Recently, international attention has focused on the need for an enhanced peacekeeping capacity in Darfur. The African Union peacekeepers have done, and continue to do, an admirable job under extremely difficult conditions, but a more robust force is needed. African Union troops have come under increasing attack, with the most recent incident resulting in the death of five Senegalese peacekeepers in Northern Darfur. Two Nigerian peacekeepers were killed earlier in March. Missions that were once carried out as a matter of course, for example protection details for women leaving IDP and refugee camps in search of firewood, have now been halted and the threat of increased rapes and attacks is very real. The USG has provided over \$350 million in support to the approximately 7,700 strong AMIS force since FY04. This includes construction and operation of 34 base camps, maintenance of vehicles and communications equipment, pre-deployment equipment and training, and strategic airlift. However, the AU has reached the limit of its capabilities, and a robust force with the command and control of the UN is desperately needed in order to function effectively and minimize the risk of atrocities in the future. The AU itself has called for a transition of the African Union Mission in Sudan (AMIS) to a United Nations operation.

Transition of the current African Union Mission in Sudan to a more robust hybrid AU/UN peacekeeping operation remains a policy priority for the United States. UN Security Council Resolution (UNSCR) 1706 of 31 August 2006 has a robust mandate, including the protection of civilians, and remains the touchstone for the U.S. position on peacekeeping in Darfur. In November 2006, the UN and AU convened a high level meeting in Addis Ababa where key players, including the Government of Sudan and the five permanent members of the UN Security Council, agreed to a three-phase plan that would culminate in a hybrid AU/UN peacekeeping force of 20,000 troops and police under UN command and control.

This plan was reconfirmed at an AU Peace and Security Council meeting in Abuja and by a UN Security Council Presidential Statement (PRST). Sudan has repeatedly told us over the past months that they agree to the Addis framework; and the PRST was done at their specific behest. However, in a March 6 letter that President Bashir sent to UN Secretary General Ban Ki-Moon, he essentially rejected the Addis Agreement's Phase II Heavy Support Package, effectively also scuttling the third phase or hybrid force. Furthermore, he stated: "Command and control after provision of the support packages is the responsibility of the African Union, with the necessary support from the United Nations." UN command and control of the hybrid operation was agreed to by all parties in Addis, including Sudan, as an essential component of any force. This is not negotiable.

We are very concerned with President Bashir's letter rejecting major portions of the heavy support package. We are hopeful that an April 9 meeting in Addis Ababa signals that the GOS is willing to reconsider its position. We trust that the GOS will honor its commitments and move swiftly to implement all remaining phases of this agreement, including a vigorous joint AU/UN peacekeeping force under UN command and control. The U.S. government strongly opposes any efforts by the Sudanese government or others to renegotiate, once again, the agreement reached in Addis Ababa on November 16, 2006. The failure to implement the Addis framework is not acceptable and will soon be met, as we have long stated, with a more confrontational approach.

I would like to add a word about international pressure on Khartourn. In January, I made a visit to China where I had positive meetings with several key officials, including State Councilor Tang Jiaxuan and Assistant Foreign Ministers Cui Tiankai and Zhai Jun. The Chinese have been largely supportive of our efforts to resolve the Darfur situation through peaceful means and have been publicly encouraging Khartourn to allow the AU/UN hybrid force as agreed to in Addis. We confirmed with them our position that our interests in Darfur are solely humanitarian and we have no economic or military interests behind our policies. We also made it clear that we are not pursuing regime change in Sudan unless the people vote for a new government in free and fair elections agreed to under the Comprehensive Peace Agreement framework. China's Ambassador to the UN Wang Guangya played a vital and constructive role in helping to broker the Addis compromise. During his recent visit to Khartourn, Chinese President Hu Jintao encouraged Bashir to show flexibility and allow the AU/UN hybrid force to be deployed. While we welcome and encourage

China's efforts to apply diplomatic pressure on the Government of Sudan, we look to Beijing to join with the international community in applying more forceful measures, should Khartoum remain intransigent. China's substantial economic investment in Sudan gives it considerable potential leverage, and we have made clear to Beijing that the international community will expect China to be part of the solution.

Similarly we are pleased with the emergence of broad international support for the humanitarian needs of people in Darfur. Many countries in Africa and around the world have echoed UNSCR 1706 and called publicly for Khartoum to admit UN peacekeepers and abandon its futile effort to impose a solution by force. During my October trip, I also made a stop in Egypt where I met with the Egyptian Foreign Minister Abul Gheit and Secretary General of the Arab League, Amr Moussa. Mr. Moussa and the Arab league have recently played a much more active role in urging the Sudanese government to take a more constructive approach to the Darfur crisis.

Despite all this, the regime in Khartoum continues to find the weapons it needs for conflict, to find markets for its products, and to find investors. So while I have conveyed a real appreciation here today for many international efforts to push Sudan in the right direction, I also want to be quite clear: the world needs to do more. Congress, individual activists, and the huge array of committed non-governmental organizations can and should continue to shine a spotlight on Khartoum's enablers.

While our primary topic today is Darfur, the crisis there must be seen in the context of our overall policy goals in Sudan; ensuring the implementation of the Comprehensive Peace Agreement and supporting the democratic transformation of Sudan through free and fair elections in 2009. Unless there is progress on these two broader goals, there is little chance that we will be able to find a lasting solution to the crisis in Darfur. The international community needs to recognize the fact that southern Sudan is at a cross roads. The CPA has created a fragile peace between the north and the south after two decades of conflict during which more than 2.4 million people died and four million were displaced. However, over the next year, several important steps must be taken to ensure that the CPA succeeds. Armed militias still threaten the security of southern Sudan. These groups must be demobilized or integrated into the SAF or the SPLA, and the withdrawal of the Sudanese Armed Forces from all areas of the south must stay on schedule. The southern economy is finally growing, but north-south boundary disputes, including the lack of implementation of the Abyei Border Commission's decision, and a lack of transparency in oil contracts keep the south from getting its full share of oil revenues. The pilot action to energize implementation of the CPA, the most likely outcome will be two Sudans, not John Garang's vision of a united "New Sudan".

Should the CPA collapse it is likely that security issues will be the cause. At ceremonies to celebrate the CPA's second anniversary on January 9th, Salva Kiir, the first Vice President of the Government of National Unity and the President of the Government of southern Sudan, accused the Sudan Armed Forces (SAF) of deliberately violating the security provisions in the CPA. South of Juba and along the border between northern and southern Sudan, other armed groups associated with the central government remain a serious and destabilizing problem in the South. In Malakal, a state capital on the Nile, such tension led to combat in early December 2006; only the aggressive and timely intervention of United Nations Mission in Sudan (UNMIS) troops prevented the violence from spreading. I visited Malakal just after the incident to show the support of the U.S. government for the UN's efforts to stabilize the situation.

It is my belief that one of the most important efforts we are undertaking in southern Sudan is to support the transformation of the Sudan People's Liberation Army (SPLA) into a smaller, more professional military force. This will offset outside efforts to destabilize the GOSS through militias or other armed groups. The discipline and competence afforded by modern, professionally trained troops and officers will prove a stabilizing factor in Southern Sudan. At the same time, the UN, U.S. and other partners need to press forward with reform of the police and criminal justice sector so that local conflict does not escalate, thus requiring an SPLA response. Reform of the security sector in Sudan is proceeding, although more slowly than we would like. According to UNMIS, the UN Mission in Southern Sudan, SAF redeployment from southern Sudan is verified at 68 percent but further progress is hindered by delays in other security related requirements, such as the formation of units composed equally of SAF and SPLA troops known as Joint Integrated Units (JIUS). SPLA redeployment from the transitional areas along the north/south border is mostly complete but is being held up due to a delay in the formation of the Joint Integrated Units. CPA security provisions need to be implemented now or conflict is likely to erupt in several areas around oil rich Abyei and near Juba. Joint Integrated Units have been assigned locations in the main towns but are without proper training or support. Contrary to the provisions of the CPA, companies in these battalions remain in separate units for both housing and training. The SPLA is gradually downsizing into a professional army, but still needs proper training, facilities and administration for the downsized force. The U.S. plans to financially and materially support this important process of providing strategic training and mentoring to the SPLA at key levels. This assistance will not include any weapons or weapons systems and is specifically provided for under the CPA.

Economic issues divide the north and south. The Sudanese economy is growing at a rate of 12% per year. Their Gross Domestic Product will double in the next six years if current growth rates are maintained, after having already doubled over the last five years through a combination of growth and currency appreciation. Wealth is concentrated in greater Khartoum (in the Arab triangle between Dongola, El Obeid, and Kasala) while other regions of the country remain impoverished and neglected. Under the CPA, the Government of National Unity is required to begin making sizeable increases in the budgets and revenues in 2007 to impoverished provinces throughout the country. These provinces have yet to see the benefits of oil revenues. The Parliament has approved these expanded provincial budgets, however the money has not yet been sent to the provinces by the Ministry of Finance.

The U.S. is a major partner for aid, but not for trade. Unilateral economic sanctions are a central element in the U.S. economic policy toward Sudan. As a result, the United States has negligible trade with Sudan and minimal investment in the country. At the same time, Sudan has built stronger economic ties with China, India Malaysia and Gulf Arab states and substantial trade continues with Japan and Europe. The Darfur Peace and Accountability Act (DPAA) and the President's Executive Order 13412 modified the U.S. comprehensive sanctions regime against Sudan under Executive Order 13067 by easing many restrictions with respect to the Government of Sudan, and certain other geographic areas, though Sudan, and specifically the Government of Sudan, is still subject to significant sanctions under U.S. law.

On the surface, Sudan's political reform has moved forward. The National Congress Party (NCP) and the Sudan People's Liberation Movement (SPLM) formed the Government of National Unity (GNU), organized the parliament and distributed positions at senior levels of government as they had agreed in the CPA (though civil service reform is still outstanding). The SPLM established the Government of Southern Sudan in Juba, with a limited number of positions for its NCP partners, and likewise set up the ten state governments in the south. The new government in Juba is still a weak institution in its infancy, especially in such areas as service delivery, financial management and human resource development. In recent months, however, I am happy to note that President Salva Kiir has taken steps to confront the issue of corruption in his government. In the past weeks he took decisive action to counter corruption among GOSS officials with alleged involvement in mismanagement of resources, which we believe was a needed step in improving the management of the GOSS.

Below the surface, there has been little political transformation. Whether in Khartoum or in Juba, military officers are in charge. The NCP uses the instruments of state power, particularly the security services, to limit the scope for opposition parties and to manipulate the public agenda. It would be seriously challenged in a genuinely free and fair election. The SPLM, which has broad popular support in southern Sudan, has made impressive first steps to establish itself in the north but has never faced elections itself.

There remains a major risk that elections will not be held on time. The CPA specifies that before elections, a census will be conducted throughout Sudan, but arrangements for the census are falling behind schedule. If the elections are to be held as scheduled, the census must be expedited.

Despite these serious shortcomings, there has been some progress under the CPA. Peace is holding in the south for the first time in twenty-four years. The GOS has transferred over \$1 billion in oil revenues to the new GOSS. Designed by both the north and the south, the new Sudanese Pound has been introduced as the new common currency. A new government has been created in the south, commerce is thriving, the economy is growing, displaced people are returning to their ancestral homes and farms, and 75% of the 40,000 militias (most created by the GOS during the war) have been demobilized or merged into either the northern or southern armies. There is no famine in southern Sudan. We should not underestimate these achievements or the benefits of peace and increased economic growth for the average southern family. These are not insignificant achievements, but these achievements are fragile and at risk because of a failure to carry out all of the provisions of the CPA.

Overall, the situation has more cause for alarm than for reassurance. U.S. policy intended the CPA to be a turning point for Sudan's transformation from an authoritarian state to a more just and democratic state that can be a partner for stability and security in a dangerous part of the world. Sudan is now at the halfway mark between signature of the peace accord and its first major turning point, national elections. The Assessment and Evaluation Commission (AEC), set up to monitor CPA implementation, has only a muffled voice because both the NCP and SPLM must agree to any of its decisions. The ruling National Congress Party, which has been

alarmed by this trend, has done little to create the atmosphere for Southerners to want to remain in Sudan: the continuing conflict in Darfur and the tactics used by the central government there only confirm Southern fears that nothing has really changed in Khartoum. The CPA needs renewed, high level international political attention. Along these lines, the United States strongly supports the proposal being considered for an East African summit through the regional Inter-Governmental Authority on Development (IGAD) to re-assemble the heads of state in the region involved in supporting the initial CPA agreement, to review progress to date and define steps needed to accelerate implementation.

These are our objectives: to provide life-saving humanitarian assistance to the millions of people who have been displaced from their homes and affected by violence in Darfur; to promote a negotiated, political settlement to the conflict that is agreed to by all parties within the framework of the Darfur Peace Agreement; to support the deployment of an AU/UN hybrid international peacekeeping force to protect civilians and ensure continued humanitarian access; and to ensure the successful implementation of the CPA. However, if we find the Sudanese government is obstructing progress on these objectives, the United States government will change its policy and will pursue more coercive measures. The burden is on the Sudanese government to show the world that it can meet and implement the commitments it has already made.

Thank you, Mr. Chairman and Members of the Committee for your time and interest in this important matter.

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