RELEASE IN PART B5

From:

Mills, Cheryl D < MillsCD@state.gov>

Sent:

Tuesday, October 11, 2011 7:53 AM

To:

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Subject:

FW: Sung Kim Nomination

From: Rodriguez, Miguel E

Sent: Tuesday, October 11, 2011 7:31 AM

To: Sherman, Wendy R; Mills, Cheryl D; Burns, William J; Campbell, Kurt M; Kennedy, Patrick F; Sullivan, Jacob J

Cc: Adams, David S; Macmanus, Joseph E **Subject:** Re: Sung Kim Nomination

Wanted to share the story below as well as one of the avenues we're pursuing.

The idea would be for either Sung or whomever we designate to give the two Senators the briefing that we've been trying to schedule for weeks. At the conclusion of the briefing, presumably Kyl would be in a position to lift his hold.

McCain hasn't signed off on this yet, but his staff and I feel he'll be amenable.

On a different front, we're still waiting to see if Kerry has had any success in persuading Kyl.

Will be sure to keep you all updated.

Thanks.

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A state visit, without an ambassador

Politico - Ben Smith Blog

South Korean president Lee Myung-bak is headed to Washington for a state visit later this week amid a quiet standoff over the ambassador to the country that is drawing criticism from former diplomats.

The administration's nominee to be ambassador, Sung Kim, was announced this summer — but Sen. John Kyl (R- Ariz.) has reportedly placed a hold on Kim's confirmation. Two sources said Kyl's objections are to U.S. Korea policy, not to Kim, who was U.S. envoy to talks involving both Koreas.

Former U.S. foreign officials say the holdup to what had been expected to be an easy confirmation for Kim aren't helping the relationship with a major trading partner, and one on the verge of finalizing a free trade pact with the United States.

"It doesn't look good when our Congress can't confirm our ambassador, and our Congress is pushing this [Free Trade Agreement] thing to the very last minute," said Victor Cha, former NSC senior director for Asia. "I mean, I can't think of a better choice for the job. ... The stuff that's holding us up is just partisan stuff, it's nothing to do with him as an individual

— which of course is unfortunate when we have a state visit."

The Koreans, Chris Hill, a former U.S. ambassador to South Korea, said drily, "have difficulty understanding our nomination system."

"Obviously, the South Koreans are very anxious to have a new ambassador fully confirmed when their president arrives in Washington this week," he said.

As it stands, current U.S. ambassador to South Korea Kathleen Stephens is expected to remain in her post until after the state visit.

Holds are, by Senate tradition, secret, and often go unexplained.

A spokesman for Kyl, Ryan Patmintra, emailed: "Our office has no comment on this matter."

From: Rodriguez, Miguel E

Sent: Thursday, October 06, 2011 07:31 PM

To: Sherman, Wendy R; Mills, Cheryl D; Burns, William J; Campbell, Kurt M; Kennedy, Patrick F; Sullivan, Jacob J

Cc: Adams, David S; Macmanus, Joseph E

Subject: Re: Sung Kim Nomination

I've asked both Kerry and McCain to reach out to Kyl on the floor this evening to see what if anything they can work out. Will be sure to report back if there's any movement.

Thanks.

From: Sherman, Wendy R

Sent: Thursday, October 06, 2011 12:29 PM

To: Rodriguez, Miguel E; Mills, Cheryl D; Burns, William J; Campbell, Kurt M; Kennedy, Patrick F; Sullivan, Jacob J

Cc: Adams, David S; Macmanus, Joseph E

Subject: Re: Sung Kim Nomination

Understood.

though agree will be perceived as more political, may be

able to find out what will satisfy the Senator.

From: Rodriguez, Miguel E

Sent: Thursday, October 06, 2011 11:37 AM

To: Mills, Cheryl D; Burns, William J; Campbell, Kurt M; Kennedy, Patrick F; Sullivan, Jacob J; Sherman, Wendy R

Cc: Adams, David S; Macmanus, Joseph E

Subject: RE: Sung Kim Nomination

Thanks, Cheryl.

The underlying issue is North Korea, as outlined in the Senator's letter of September 14 (attached) and his follow-up questions.

Here's a quick timeline of events:

- July 21 -- Kim confirmation hearing
- July 26 -- Kim nomination voted out of Committee
- August 2 -- Learned of Kyl hold on nomination
- August to Present -- State Department makes several offers of briefings and meetings to resolve Kyl's concerns and persuade him to lift his hold

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- **September 14** -- Letter from Kyl outlining concerns about North Korea (attached)
- **September 21** -- State Department response to Kyl letter sent (attached)
- October 4 -- State Department receives follow-up questions (below); State Department again
 offers classified briefings to address Senator's concerns. Overtures are again rebuffed.

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Thank you for the suggestion, Wendy, on a call	to Kyl. I suspect Kyl needs reassurance
on the underlying policy, and so I worry that a	political call might not do the trick alone.

Thanks.

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Kyl Follow-up Questions:

The Senator is seeking:

- Specificity regarding the required actions (concrete indication) on the part of North Korea, including the standard by which administration will judge North Korea's sincerity.
- · Administration's definition of nuclear programs.
- Clarity on the IC role and remaining proliferation concerns.
- Incentives Administration's plans re food aid, sanctions relief, energy assistance, etc.

----Original Message----

From: Mills, Cheryl D

Sent: Thursday, October 06, 2011 9:27 AM

To: Rodriguez, Miguel E; Burns, William J; Campbell, Kurt M; Kennedy, Patrick F; Sullivan, Jacob J;

Sherman, Wendy R

Cc: Adams, David S; Macmanus, Joseph E

Subject: RE: Sung Kim Nomination

I am happy to do what's necessary, but we need some guidance as to what his real issue is and then fig out who has a relationship worthy of this connection

----Original Message-----From: Rodriguez, Miguel E

Sent: Thursday, October 06, 2011 8:30 AM

To: Mills, Cheryl D; Burns, William J; Campbell, Kurt M; Kennedy, Patrick F; Sullivan, Jacob J; Sherman,

Wendy R

Cc: Adams, David S; Macmanus, Joseph E

Subject: Sung Kim Nomination

Everyone,

Apologies for casting the net so broadly, but we're stuck, and I could use some advice and help.

As you know, Senator Kyl placed a hold on Sung's nomination back in August.

I will note that Senator Kyl sent us a letter in mid-September regarding North Korea which we answered promptly (within a week). They asked several follow-up questions on Tuesday, and I've been working feverishly to set up a classified briefing to address all their questions. On scheduling, the response I got back from his staff was "maybe next week".

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I can write up points if someone is willing to make the call. Any suggestions on who would be most effective in a call to Kyl?	

Thanks.