

Senate Armed Services Committee Hearing

Senator John Cornyn (R-TX) questioning Vice Admiral Lowell Jacoby

SEN. JOHN CORNYN (R-TX): Thank you, Mr. Chairman.

My questions have to do really with -- from our Southern border down in Central America -- Mexico, Central America and South America. I've heard our nation's policy, while we've been consumed with other more immediate urgent causes in the Middle East, described as a policy of benign neglect towards our southern neighbors. And I'm afraid that that -- if that's an accurate description, that that neglect may come back and bite us badly at some point.

And my specific concerns are -- one has to do with Chinese investment and military -- possible follow-on military-to-military cooperation, certainly with Castro's involvement in South America, and increasing belligerence of South American leaders toward the United States, along with the prohibition on our ability to enter into military-to-military cooperative agreements unless there's a bilateral agreement that exempts our servicemembers from prosecution before the International Criminal Court. And I want to ask -- I'd like to ask Admiral Jacoby about that in a minute. [...]

Admiral Jacoby, let me ask you about the Chinese and other government investment and activity in South America, and particularly the limitations that apply in terms of our ability to -- unless someone signs an Article 98 agreement to exempt U.S. service persons from prosecution before the International Criminal Court -- what kind of hindrances and problems do you see there that perhaps we need to pay more attention to that would limit the ability of other nations to get very much involved, particularly on a military level in South America?

ADM. JACOBY: Senator, you can appreciate I don't follow the Article 98 you know sort of policy implication thing closely as part of my responsibilities.

From our standpoint as defense intelligence, we have not had inhibitions in terms of the kinds of relationships and our activities of our defense attaches and so forth as a result of this. But obviously when you get into the training and some of the other actions and activities, clearly that Article 98 gets to be a major player.

Your observation about Chinese investment in the hemisphere is very accurate. I'm thinking back to my days as director of naval intelligence when the Chinese companies were very active with the Panama Canal companies and as an investment opportunity. Sir, that continues in the hemisphere, and frankly continues globally, and it wouldn't be at all a surprise that a booming domestic economy and a worldwide China presence would open those kinds of opportunities for Chinese investment. Central America is one key area.

SEN CORNYN: Well, I worry about not just Chinese investment, but of course then given the inhibitions -- or perhaps prohibition, I should say -- on military-to-military cooperation that we have -- and I'm not suggesting I know the answer to that yet, but just that it's a problem we need to pay attention to, that those investments will follow on with military involvement and cooperation between the South American and Central American governments that we're precluded from interacting with on that same basis. And certainly we know that Fidel Castro is uninhibited in his activities with some of the countries of South America that are natural-resource rich, and that China and other nations want to have access to for their own economic survival and vitality.

My time is up. Thank you very much, gentlemen."