

U.S. SENATE COMMITTEE ON FOREIGN RELATIONS
Business Meeting
Wednesday, October 22, 2025

BUSINESS MEETING

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

The committee met, pursuant to notice, at 9:34 a.m., in room S-116, the Capitol, Hon. James E. Risch, Chairman of the Committee, presiding.

Present: Senators Risch [presiding], Ricketts, McCormick, Daines, Hagerty, Barrasso, Lee, Paul, Cruz, Scott, Curtis, Cornyn, Shaheen, Coons, Murphy, Kaine, Booker, Van Hollen, and Rosen.

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

The Chairman: The Committee will come to order.

We are here today to consider 19 pieces of common-sense legislation, a lot of bipartisan work here. I want to thank the Ranking Member for her cooperation and work in putting these together. It will also be important when something this complex is before this committee, with as many of us having pieces of it. This has been great staff work to get us where we are. We are going to move through a very large chunk of this without too much brouhaha when we get -- there will be a couple of bumps, but we will get through them, I believe. And in this list that we are going to be sending to the Senate floor, a lot of legislation, some particularly beloved and others not so much, but on balance, this is -- this is good work by the committee.

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I would like to speak briefly about two bills that we have worked on and I have worked on with colleagues on this committee. The first is the Deter PRC Aggression Act Against Taiwan. This bill establishes an interagency task force, also known as the Tiger Team, to identify Chinese targets for sanctions, export controls, and other economic measures that could be deployed if China takes any actions to invade Taiwan or overthrow its government. China's escalating course of actions are part of its strategy to intimidate Taiwan and other countries in Asia into submission, but America won't allow our friends to be bullied. Using lessons learned from the challenges and sanctions against Russia following its invasion of Ukraine, this legislation will ensure America is prepared to hit China should China follow through on its threats against Taiwan.

The second piece of legislation is the REPO Implementation Act that I introduced alongside Senator Shaheen and Senator Whitehouse. It would build on the REPO Act that we all got passed in 2024. As we speak, more than \$300 billion in Russian sovereign assets remain frozen worldwide. Russia has been truly brutal in its assaults against the Ukrainian people, clearly a violation of the most basic international laws and human rights. Seizing assets is not and should not be something any country does lightly, but the sheer brutality of Russia and the extensive damage it has brought on Ukraine warrants this seizure, I believe. It is legally and morally justified for Russian government funds immobilized in the United States to be seized to help Ukraine rebuild its country under the REPO Act, just as it was in the seizure of Iraqi assets after its

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invasion of Kuwait 35 years ago. The REPO Implementation Act will also continue to encourage our allies to use the Russian assets in their countries to do the same and ensure that the assets are, under U.S. control, used pragmatically.

Thank you again to all my colleagues and the staff for their work on this business meeting. I look forward to moving these bills out of committee. With that, I would like to recognize my distinguished colleague.

**STATEMENT OF HON. JEANNE SHAHEEN,
U.S. SENATOR FROM NEW HAMPSHIRE**

Senator Shaheen: Well, thank you very much, Senator Risch, and I will just echo your comments. I think this is probably the most robust business meeting agenda since I have been on this committee where we have taken up this many bills that are bipartisan, that have broad support, not only across this committee, but in the Senate.

The Chairman: Clearly, the result of such great leadership --

Senator Shaheen: Without a doubt.

[Laughter.]

Senator Shaheen: I also want to echo your thanks to the staff on both sides for the great work that they have done. We would not be at this point without their leadership --

The Chairman: Clearly.

Senator Shaheen: -- their effort, so thank you to everyone involved. And I just want to comment -- I am not going to read my whole statement, I will

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submit it for the record, but I do want to comment on the fact that we have got three bills on the agenda that deal with Russia's continued expanding aggression in Ukraine, and I think it is notable that this is the first time in this Congress that Russia-related legislation has been considered before the committee. So, it is a step forward, and given what Putin is doing, I think that it is way past time Congress take action to reign in Vladimir Putin's unprovoked war in Ukraine.

Senator Risch talked about the frozen assets bill, which I was pleased to join him in supporting. One of the bills will designate Russia as a state sponsor of terrorism, and I am pleased that Senator Blumenthal is here to watch us pass that bill, hopefully. I know that Senator Graham would be here if he could. And the final one, Senator Cornyn and I are leading, which would stop Chinese entities from supporting Russia's brutal war machine against Ukraine.

So, I think this is a great package of legislation, and it sends a very strong message about this Congress' and this Senate's intent against Putin and what he is doing in Ukraine. So, Mr. Chairman, I look forward to supporting each of those bills and the entire agenda today.

[The prepared statement of Senator Shaheen follows:]

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STATEMENT SUBMITTED FOR THE RECORD BY
RANKING MEMBER JEANNE SHAHEEN

Thank you, Mr. Chairman.

I am pleased that we have 19 bipartisan items on today's agenda addressing a wide range of issues.

In addition to legislation on Russia and Haiti, we have bipartisan bills to address scam compound operations and pursue partnerships on critical minerals. International issues that have an effect on our citizens and pocketbooks.

I want to thank you, Mr. Chairman, and all the members of this committee, for your partnership.

We may have our differences -- but this committee has demonstrated it can come together.

And, when we do we show the world that when it comes to defending U.S. interests, our partners, and our citizens -- this committee is a united front.

I am particularly pleased to see three bills on today's agenda that addresses Russia's continued and expanding aggression.

- One bill will designate Russia as a State Sponsor of Terrorism.
- One will stop Chinese entities from supporting Russia's brutal war machine against Ukraine.
- And another will authorize a continued quarterly transfer of Russia's frozen assets to support Ukraine.

This is the first time in this Congress where Russia-related legislation has been considered before Committee.

I, for one, think it is time for Congress and this Committee to play a leading role in holding Vladimir Putin to account.

For the past 10 months, we have seen Russia emboldened in Ukraine, murdering innocent people and attacking energy facilities, hospitals, schools -- even Western businesses.

We have seen our European partners step up with more military assistance, increased defense spending and more sanctions on Russia.

Yet, we have sadly been on the sidelines.

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We watch as Putin breaks one promise after another to President Trump.

The President extends one deadline after another -- and invites, even begs, Putin to talk to him.

My biggest worry is that President Trump will take a weak deal from Putin, but even with that prospect -- Putin continues to refuse President Trump and give him nothing in return for his overtures.

For this reason, it's our time. We have let this failed negotiation play out for long enough.

There are several bipartisan bills referred to this Committee that will hold Russia to account. We are considering three of them today.

We should do more -- and not rest on the hope that one big bill that may never come together will do the trick.

As we stand here, our sanctions have not kept up with the rest of the world, the war in Ukraine rolls on and our NATO partners in Poland, Finland, Romania and beyond are seeing Russian drones in their skies -- expanding Putin's aggression.

Years from now, Americans will look to whether this committee took action to try and change the course of history.

It is incumbent on us to show future generations that the Legislative branch -- as a separate but co-equal branch of government -- did its part to bring an end to Putin's deadly war and his revisionist campaign to reconstitute an empire that should stay in the history books.

I hope every business meeting moving forward can be as robust as this one in condemning Putin's war.

Again, Mr. Chairman, I am proud of where we are today.

There are 21 Senators with bills on today's agenda addressing a wide range of issues. That's a great success.

I hope we maintain this great spirit of bipartisanship.

Thank you.

The Chairman: Well, thank you, Senator, and we want to welcome Senator Blumenthal. He is here representing himself and Senator Lindsey

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Graham on the bill, and I would say that we appreciate your work on this and working as closely with the committee as you have and getting all the wrinkles out of it so we can pass it here as we have.

The first thing we are going to take up are two nominations. Both will be roll call votes. And so, first one we will take up is Mr. Joel Rayburn.

The chair would entertain a motion to report Mr. Rayburn out to the floor without recommendation.

Senator Ricketts: So moved.

The Chairman: Been moved. Is there a second?

Senator Scott of Florida: Second.

Senator Paul: I would like to speak on that when --

The Chairman: That will be fine.

Senator Shaheen: I would like to speak, too.

The Chairman: And both will be recognized, but, first, we have a motion and a second to send to the floor without recommendation, and we will start with the ranking member. You --

Senator Shaheen: Well, thank you, Mr. Chairman, and I know that the committee has been holding Mr. Rayburn's nomination for a number of months now, and I just want to be clear on why I intend to vote against his nomination this morning.

I appreciate the good work that Mr. Rayburn has done in the past in the Middle East, but I am very concerned that he opposes lifting sanctions on Syria. And I think we have got an opportunity in the Middle East right now, between

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the overthrow of the Assad regime, between the reforms that are going on in Lebanon, with finally a ceasefire deal and movement in Gaza and Israel on the war, to really dramatically change the direction of the Middle East. And to have someone there who is going to fight at every opportunity to keep Syria from being part of that progressive movement forward, I think is a real problem.

The other issue that I have with him is that I think he lied in his hearing about his position on Syria. I asked him very directly, and he didn't tell me the honest truth about what his position was, and I think that is a problem. You know, I understand that there -- we are going to disagree on policy issues, but I expect somebody to be honest about where they stand on things, and I don't believe Joel Rayburn is, and so I intend to oppose him. And if he gets approved, I intend to follow him very closely in this position and make sure he is honest about what he is doing.

Senator Hagerty: Mr. Chairman.

The Chairman: Senator Paul has -- asked first.

Senator Paul: I share Senator Shaheen's concerns about Joel Rayburn and have been holding his nomination for quite a while now. I have agreed to go forward with it without recommendation. I share Senator Shaheen's concern about his opposition to lifting sanctions. Frankly, sanctions' real value is when you finally actually lift them. You know, they really, a lot of times, have no value for years and years and years, and then when you lift them, you negotiate behavioral changes for them, and so far, it looks like they are changing their behavior in Syria towards -- in a good way. It is also a devastated country, not

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just from the sanctions, but from the civil war. I mean, the only way to get it going, unless you want to shell out billions of dollars, is you got to lift sanctions. It is one thing to do.

I share Senator Shaheen's concern about honesty, though. During the first administration, he worked -- Joel Rayburn worked with James Jeffrey, who was the U.S. Special Representative to Syria. If you will recall, President Trump ordered the 900 or so troops to be removed from Syria, and Jeffrey laughingly told a reporter, "Well, we kind of played a shell game. We moved some over here and then some over here so the President wouldn't know if there were any troops. He would say, 'Are there any troops?' We would say zero because we moved them over here. We were playing a game. We thought it was hilarious." Well, Joel Rayburn was very close to him. He said he didn't know anything about it, but I suspect that that may not be true, and I am concerned about that.

In recent reports, when it was reported that the United States was again considering removing the very small contingent of troops that we have in Syria, his response was in January of 2024, "Hopefully, this means the withdrawal reported was just a half-baked contingency plan by staffers leaning too far over their skis and quickly quashed when brought to the attention of grownups. That is what I hope." So, I question what will he be doing behind the scenes if President Trump wants to remove the troops? There is a real question, whether strategically and militarily, 900 troops are a deterrent or a tripwire to becoming more involved in a new conflagration there. So, I am voting to get him to the

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full floor. I will vote against him on the floor.

The Chairman: Thank you, Senator Paul. Senator Hagerty.

Senator Hagerty: Thank you, Mr. Chairman. I appreciate the opportunity to put Joel Rayburn to the floor because I think he is highly qualified. I think I know a number of you know this, Joel has worked for me over the years. He is highly competent and highly trustworthy, and I will just say this. Joel has, and, Senator Shaheen, I hope you will have the opportunity to perhaps meet with him if he does come into this position. Joel has and will continue to follow the President's directive with regard to Syria, however the sanctions -- whatever the sanctions instruction will be, and I have absolutely no qualms about saying that he will not undercut the President, Senator Paul.

And the -- trying to append the Jeffrey's position, which Joel told me he confronted Jeffrey after Jeffrey made that statement, that the statement itself was incorrect, and Jeffrey refused to straighten -- he refused to clarify the statement. But Joel is a military man, and he didn't come into the -- in the public media, as you suggested, Senator Paul, but he certainly doesn't approve, nor did he abide by, nor had anything to do with the position that Jeffrey took or the statement that Jeffrey made. So, I would like to clarify those two things, and I would like to also submit for the record my remarks. I don't want to take all of us -- take any more time given the agenda.

The Chairman: Thank you.

Senator Hagerty: But my --

The Chairman: They will be included, Senator Hagerty. Thank you.

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[Cross talking.]

Senator Hagerty: -- without further ado. Thank you. Unanimous consent.

The Chairman: All right.

[The prepared statement of Senator Hagerty follows:]

STATEMENT SUBMITTED FOR THE RECORD BY
SENATOR BILL HAGERTY

Joel Rayburn's nomination comes at a pivotal time for the United States in the Middle East and North Africa.

At this critical juncture, no one is better qualified to be the Assistant Secretary of State responsible for this region than Joel Rayburn.

Joel is a proud military veteran who has shown he is committed to public service on behalf of our great Nation.

From 2007 to 2011, for example, Joel worked for General David Petraeus as a strategic intelligence advisor in Iraq and Afghanistan.

In President Trump's first term, Joel served on the National Security Council as Senior Director for Iran, Iraq, Syria, and Lebanon.

Joel then served as Deputy Assistant Secretary of State for Levant Affairs and, concurrently, as Special Envoy for Syria from 2018 to 2021.

More recently, Joel served on my Senate staff as my senior advisor for Middle Eastern affairs—and I was able to see firsthand just why the military and the White House trusted him so much.

I saw Joel as a wonderful father—someone with the heart and humility to pay it forward to the next generation through selfless public service.

The United States needs Joel Rayburn as our next Assistant Secretary of State for Near Eastern Affairs, and I urge my colleagues to support his nomination.

The Chairman: Is there further debate?

Senator Kaine: And Mr. Chair?

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The Chairman: Yes? Senator Kaine.

Senator Kaine: So, just to clarify -- this is somewhat of an unusual vote -- we are not voting to approve him or recommend him. We are just voting --

The Chairman: Send it to the floor.

Senator Kaine: -- without a recommendation.

The Chairman: And the motion will be made on the floor to confirm him, and it is no longer in the hands of this committee. It is put out there and for obvious reasons. Further debate?

[No response.]

The Chairman: There being none, let me close.

Senator Shaheen: Let me --

The Chairman: I am sorry. Go ahead.

Senator Shaheen: I just want to respond to Senator Hagerty because I just got notice that we did offer a meeting with Joel Rayburn, and we didn't hear back because of the government shutdown.

Senator Hagerty: Well, thank you for doing it by unanimous consent. I think this can be cleared up.

The Chairman: The good news of all of this is, Senator Shaheen and I, and even it sounds like Senator Paul, were on the same page about Syria. We are cautiously optimistic.

Senator Cruz: Sorry. Could you say that again?

The Chairman: Yes.

[Laughter.]

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The Chairman: Somebody --

Senator Shaheen: Are you on the same page, too?

The Chairman: Somebody call the *Guinness World Book of Records*.

Anyway, that is the good news. As far as Mr. Rayburn is concerned, he is not going to make the final call on the -- as far as sanctions are concerned. That will be a call made above his pay grade. We all know where that will be made, so I am going to support him, and with that, if there is no further debate, the clerk will call the roll.

The Clerk: Mr. Ricketts?

Senator Ricketts: Aye.

The Clerk: Mr. McCormick?

Senator McCormick: Aye.

The Clerk: Mr. Daines?

Senator Daines: Aye.

The Clerk: Mr. Hagerty?

Senator Hagerty: Aye.

The Clerk: Mr. Barrasso?

The Chairman: Aye by proxy.

The Clerk: Mr. Lee?

Senator Lee: Aye.

The Clerk: Mr. Paul?

Senator Paul: Yes.

The Clerk: Mr. Cruz?

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Senator Cruz: Aye.

The Clerk: Mr. Scott?

Senator Scott of Florida: Aye.

The Clerk: Mr. Curtis?

Senator Curtis: Aye.

The Clerk: Mr. Cornyn?

Senator Cornyn: Aye.

The Clerk: Mrs. Shaheen?

Senator Shaheen: No.

The Clerk: Mr. Coons?

Senator Coons: Aye.

The Clerk: Mr. Murphy?

Senator Murphy: No.

The Clerk: Mr. Kaine?

Senator Kaine: Aye.

The Clerk: Mr. Merkley?

Senator Shaheen: No by proxy.

The Clerk: Mr. Booker?

Senator Booker: No.

The Clerk: Mr. Schatz?

Senator Shaheen: No by proxy.

The Clerk: Mr. Van Hollen?

Senator Van Hollen: No.

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The Clerk: Ms. Duckworth?

Senator Shaheen: No by proxy.

The Clerk: Ms. Rosen?

Senator Rosen: Aye.

The Clerk: Mr. Chairman?

The Chairman: Aye. The clerk will report.

The Clerk: Mr. Chairman, the yeas are 15. The noes are 7.

The Chairman: The motion is passed, and Mr. Rayburn will be sent to the floor without recommendation for consideration by the Senate.

The next -- this last nomination we will consider is Andrew Veprek of Louisiana to be Assistant Secretary of State for Population, Refugees, and Migration. Is there a motion?

Senator Ricketts: So moved.

The Chairman: Second?

Senator Scott of Florida: Second.

The Chairman: Been moved and seconded. Is there debate on this?
This will be a roll call vote.

Senator Murphy: Mr. Chairman?

Senator Shaheen: Senator Murphy.

The Chairman: Yes, Senator Murphy.

Senator Murphy: Mr. Chairman, there is an article from the *New York Times* a few days ago entitled, "President Trump Considers Overhaul of Refugee System That Would Favor White People." This is an extraordinary decision that

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the Trump administration is about to make. The article details a plan that is being presented that would essentially place a racial test, a racial lens, a racial bias on top of our refugee program that would include favoring, according to the reporting, bringing to this country members of the neo-Nazi-affiliated AFD Party in Germany over other refugee populations that will now face additional hurdles to get to the United States. I raise this because it appears that Mr. Veprek has been chosen, in part, because he may favor and, in fact, lead this new policy.

When he was a Deputy Assistant Secretary, he did something extraordinary in front of the United Nations Human Rights Council. Every year, that Council had passed a resolution called the Incompatibility Between Democracy and Racism, and when he was the Deputy Assistant Secretary, he opposed that resolution, and he opposed it on the grounds that the United Nations shouldn't be opining on -- against the overt exercise of racism by foreign governments. This was a resolution that had always passed without any opposition, support from the United States, and all of a sudden the United States was standing against it.

So, I just want to raise this issue for the committee. We haven't talked a lot about it. Senator Kaine has raised some important questions in committees, but it would do irreparable harm to our Nation's reputation and our influence if our refugee policy had a racial lens attached to it, and I just want to raise that in the context of this nominee, who appears to be one of the folks who is pushing and favoring that policy.

The Chairman: Further debate?

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Senator Shaheen?

Senator Shaheen: Well, I would just echo that. You know, historically, the Bureau for Population, Refugees, and Migration has been a real lifeline for refugees who are fleeing violence, who are fleeing famine, who are being targeted because they are Chinese Uyghurs, or Afghan women, or asylum seekers from - - Russian journalists, and to have someone in that position who, interestingly, I wonder under that test if his family would have gotten to the United States given his heritage. But this is somebody who is prioritizing the resettlement of Afrikaners rather than refugees who are really escaping violence and terrorism in Africa. So, I intend to oppose him, and I think it is a real black mark on the United States that we are closing our doors to -- and saying we are going to accept only white people from around the world.

Senator Kaine: Mr. Chair?

The Chairman: Senator Kaine.

Senator Kaine: If I could also just weigh in on it. A newspaper article can be right or wrong, so, you know, just because there is an article, that doesn't necessarily mean you would give it credence, absence of evidence justifying concern, but I think there is evidence justifying concern. When Secretary Rubio was last before the committee, I asked him about what it meant that he had closed off the path for Cuban dissidents when he has been the chief spokesperson to try to protect Cuban political dissidents during his entire adult life, while opening up a path for Afrikaners when Afrikaners are part of the National Unity Government in South Africa. They are no longer persecuted.

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Their political party is part of the National Unity Government in South Africa. And what the Secretary said to me, and I consider him a longtime acquaintance and even a friend, is he said, "That shows you hate white people." I kind of looked at my skin as he said that.

So, if there weren't evidence to justify the concern, maybe we look at an article and say, well, you know, maybe that is right, maybe it is wrong, but I think there is serious evidence to justify the concern that my colleagues have expressed. And so, for that reason, I will also oppose the nominee.

The Chairman: Thank you, Senator Kaine.

Is there further debate?

[No response.]

The Chairman: I am going to support this nominee. The President has picked this person to promote and follow the directions that he gives them and his policy. The article in question I am only vaguely familiar with, but I know there were a lot of conclusions raised and in -- raised that the -- were met in that article that weren't necessarily supported by the facts. In any event, this is the President's choice. He is certainly a qualified person. As far as philosophy is concerned, he is going to have to deal with the President on that.

So, with that, the clerk will call the roll.

The Clerk: Mr. Ricketts?

Senator Ricketts: Aye.

The Clerk: Mr. McCormick?

Senator McCormick: Aye.

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The Clerk: Mr. Daines?

Senator Daines: Aye.

The Clerk: Mr. Hagerty?

Senator Hagerty: Aye.

The Clerk: Mr. Barrasso?

The Chairman: Aye by proxy.

The Clerk: Mr. Lee?

Senator Lee: Aye.

The Clerk: Mr. Paul?

Senator Paul: Aye.

The Clerk: Mr. Cruz?

Senator Cruz: Aye.

The Clerk: Mr. Scott?

Senator Scott of Florida: Aye.

The Clerk: Mr. Curtis?

Senator Curtis: Aye.

The Clerk: Mr. Cornyn?

Senator Cornyn: Aye.

The Clerk: Mrs. Shaheen?

Senator Shaheen: No.

The Clerk: Mr. Coons?

Senator Coons: No.

The Clerk: Mr. Murphy?

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Senator Murphy: No.

The Clerk: Mr. Kaine?

Senator Kaine: No.

The Clerk: Mr. Merkley?

Senator Shaheen: No by proxy.

The Clerk: Mr. Booker?

Senator Booker: No.

The Clerk: Mr. Schatz?

Senator Shaheen: No by proxy.

The Clerk: Mr. Van Hollen?

Senator Van Hollen: No.

The Clerk: Ms. Duckworth?

Senator Shaheen: No by proxy.

The Clerk: Ms. Rosen?

Senator Rosen: No.

The Clerk: Mr. Chairman?

The Chairman: Aye. The clerk will report.

The Clerk: Mr. Chairman, the yeas are 12. The noes are 10.

The Chairman: The motion is passed.

We are now going to go to the legislative calendar, and we have a total on this of, I think it is 16. Maybe I am wrong on that. It is 19.

Senator Shaheen: It is 19.

The Chairman: Nineteen. I am sorry. And these have been really

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hammered out, and so I am going to have to read them into the record. I apologize. I will do this quickly as I can.

It will be Senate 2960, amended by the manager's; Senate Bill 2130, amendment in the nature of a substitute; 2434, amended by the manager's; 1744, amended by the manager's; Senate 2626 --

Senator Rosen: I think you said 2434. You meant 2424?

The Chairman: I did.

Senator Shaheen: Yes.

The Chairman: I am sorry, 2626. I didn't think anybody listened to this.

[Laughter.]

Senator Shaheen: Good job.

The Chairman: I do not, so thank you, Senator Rosen.

Senator Shaheen: We are listening.

The Chairman: Yes, that is good. 2626, as amended by the manager's; 2146, as amended by the manager's; 2940, as amended --

Voice: 2950?

Senator Shaheen: Fifty.

The Chairman: 2950, as amended by the manager's; 2550, as amended by the manager's; 1854, as amended by the manager's; 2657, as amended by the manager's.

Voice: It is 47.

The Chairman: 2647 -- 57 --

Voice: Right.

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The Chairman: -- as amended by the manager's; 2018, as amended by the manager's; 2684, as amended by the manager's; Senate 1000, as amended by the manager's; 2978, as amended by the manager's; Senate Res. 226, as amended by noticed amendments; and Senate Res. 409, without amendments miraculously.

So, with those 16, is there a motion to send these out with a do pass recommendation?

Senator Scott of Florida: Mr. Chairman?

The Chairman: Yes?

Senator Scott of Florida: Can I ask unanimous consent to be added as a co-sponsor of S. 1744, the PORCUPINE Act, as modified?

The Chairman: Yes. If there are no objections, that will be done, and by the way, I am going to do this on a voice vote with the ability of anybody who wants to add a note, either verbally or written, to the clerk today, if there is no objection to that.

Are there further comments?

Senator Lee.

Senator Lee: I will submit a list of those which I will vote --

The Chairman: You will be added as "noes" on those. Further debate?

[No response.]

The Chairman: There being none, all in favor?

Senator Ricketts: So move.

The Chairman: Didn't we have motion? Motion --

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Senator Ricketts: No, we have not.

The Chairman: Motion made. Seconded?

Senator Shaheen: Second.

The Chairman: All those in favor, signify by saying aye.

[Chorus of ayes.]

The Chairman: All those opposed, say no.

[No response.]

The Chairman: The ayes have it. That is a very significant calendar we have sent to the floor. Thank you very much, Senators, for that.

So, now we are going to take up three of our problem children, but we will get through them one way or another.

Senator Shaheen: Three of our problem bills.

The Chairman: Problem bills, yes, submitted by problem children. No offense.

[Laughter.]

The Chairman: All right. We are going to start -- let us see here -- Senate 799, U.S. Legal Gold Mining Partnership Act, and we have a manager's amendment to that, and then another possible amendment to that, and we are going to have to argue that out. So, Senator Cornyn, the floor is yours.

Senator Cornyn: Thank you, Mr. Chairman. I hope this is not considered a problem child by the committee. I think it is -- originated really with Secretary Rubio when he was a member of this committee, and I want to express my gratitude to Senator Kaine and his staff for working with us on it.

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But I think we all know that illicit gold mining in the Western Hemisphere is a threat to America's national interests and the interest of our allies and partners in the region, and it is a means by which transnational criminal organizations fund their operations of terror through and the like, while undermining legitimate economic activity.

Authoritarian regimes in Latin America, particularly those like Venezuela and Nicaragua, use illicit gold to flout sanctions and further entrench their power. And by the way, we had a -- I think a very good hearing yesterday on the presence of Hezbollah in South America in the International Drug Caucus yesterday. And even for somebody who tries to keep up with what is going on in South America and the activities of our adversaries, it was surprising to me to see the extent to which Hezbollah is intertwined with the government of President Maduro who heads the Cartel of the Suns, which I never heard of before. I am familiar with the Mexican cartels, but not so much the Cartel of the Suns. So, this is a means by which they conduct their operations and circumvent U.S. sanctions.

The legislation would require the Secretary of State, in cooperation with other heads of Federal departments, to create a multi-year strategy to combat illicit gold mining. It will focus on breaking links between gold miners and illicit actors, working with Western governments to bolster anti-money laundering efforts, support gold commodity supply chain due diligence, support law enforcement, counter money laundering and cross-border trafficking of illicit gold, and improve the formalization of artisanal miners. So, I think it is a bill

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that has bipartisan support, and I think I will leave it at that.

The Chairman: Thank you, Senator Cornyn.

There has been filed the manager's amendment, Senator Cornyn, the manager's amendment. I would like to adopt that first by voice vote, then we will take up the bill, and, Senator Cruz, we will take your amendment next.

The manager's amendment. Is there a motion to add the manager's amendment?

Senator Ricketts: So moved.

The Chairman: It has been moved --

Senator Kaine: Second.

The Chairman: -- and seconded. All those in favor of adopting that amendment, signify by saying aye.

[Chorus of ayes.]

The Chairman: Opposed, nay?

[No response.]

The Chairman: The ayes have it. Senator Cruz, you have the floor.

Senator Cruz: I want to call up Cruz First Degree 1. Let me say, first of all, this bill is an important bill. I support it. I am proud to support it, and this amendment is intended as a friendly amendment to strengthen the bill even further, and the measures in this bill targeting Venezuela illicit gold use are particularly important.

The Maduro regime is one of the United States' most dangerous enemies in the Western Hemisphere, and it assists, functionally, all of America's regional

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adversaries and global hostile rivals. The Maduro regime has been an innovator, sadly, in the use of illicit metals for money laundering and the financing of terrorism --

[Cellphone interference.]

Senator Cruz: And they are hacking into us now.

[Laughter.]

Senator Cruz: This bill has critical measures requiring the U.S. Government to evaluate and report on these activities as the basis for further action, and that is a good thing to do. However, the committee knows a lot of what needs be done already even before a report because we have been at this for a while. One of the key problems we had is that the nature of illicit gold mining in Venezuela is decentralized, so that the only way to deal with it is by tagging the entire country as a jurisdiction of primary money laundering concern because of those activities.

In December of 2019, the Western Hemisphere Subcommittee held a hearing on illicit mining in the region and the threats it posed to national security and international human rights. It was convened by then Senator Marco Rubio. One of the witnesses at the hearing was the then DAS for Cuba and Venezuela. At the time, I had filed this same language, the amendment that we are currently debating, and I asked her about the issue. Here was what she told the subcommittee in 2019: "Approximately 91 percent of all of the mining in Venezuela is illicit. We know that the ELN and the FARC are present. We also know that there are a number of decentralized gangs, called colectivos,

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that are operating there, and it is really a vicious cycle because it is -- the presence of these ungoverned spaces means the terrorist and criminal groups come in, and they are the ones who have control over the weapons.” Then she added something else. She said that is “why our gold sanctions are so significant.”

This amendment would require the Treasury Department to explicitly consider transactions involving gold in determining whether to designate a jurisdiction as a primary money laundering concern pursuant to Section 311 of the Patriot Act, which requires a financial institution to take special measures. This amendment links our sanction regime with our money laundering regime. We would be saying we impose sanctions on Venezuelan illicit gold because it is in our national security interest, and now we are going to add teeth to it by bringing to bear our anti-money laundering tools. It would have immediate benefit and enhance both deterrence and enforcement. As I said, this amendment is intended as a friendly amendment, and so I urge a “yes” vote.

The Chairman: Okay. Senator Cruz, first of all, I strongly support the language you have and that -- and the substance of that. Here is my problem. Because of the nature of it, we have inquired about the appropriateness of adding to this, and under Rule 15 of the Senate, it says, “It shall not be in order to consider any proposed committee amendment, other than a technical, clerical, or conforming amendment, which contains any significant matter not within the jurisdiction of the committee proposing such amendment.” I don't like that rule. I would like to have broad jurisdiction to consider everything, but

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we are told that if we add this amendment, it is going to be subject to a point of order on the floor. And so, I just -- I am going to either have to rule it out of order, in which case you can move to overturn the Chairman, or someone can move to table that and we can have a vote on that, but I -- we are going to corrupt the bill, I am afraid, if we send it to the floor. And I -- and believe me, I am all in favor of what -- have you got a suggestion, Senator Cornyn?

Senator Cornyn: Yes, I do, Mr. Chairman. Thank you, and I accept the intentions of Senator Cruz, and I agree that it would actually improve the bill, but I share your concerns that this is Banking Committee jurisdiction. But I think maybe this is something we can work out with Senator Scott of the Banking Committee, perhaps. I don't know if we can get their consent, get their approval. I don't know if we are forced to vote on the amendment for that reason, not based on substance, but based on the concerns about the point of order. So, I am always happy to work with my colleagues to see if we can figure it out and whether it is in the committee or before it gets a vote on the floor, and so that is -- that would be my suggestion that --

Senator Cruz: Mr. Chairman.

Senator Cornyn: -- we would work together and try to figure it out before it comes up for a floor vote.

The Chairman: Your amendment, Senator Cruz. Go ahead.

Senator Cruz: Yes, if I could respond to that concern, I believe that the counsel that your staff has given you on this is incorrect. So, it is true that any sanctions legislation, if filed as a standalone bill, would go to Banking, 100

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percent. It is also true that this committee routinely includes sanctions within a broader bill within our jurisdiction. We do so all the time. If we are taking up a Russia bill, we will often include sanctions, and the fact that a freestanding sanctions bill would go to Banking has never prevented this committee from considering sanctions as among the tools that we employ on foreign policy.

With respect to this provision, in particular, there is no doubt that my amendment as a freestanding bill would be referred to Banking. However, we took Senator Cornyn's bill and we added my amendment to Senator Cornyn's bill, and we then asked the Parliamentarian to which committee would you refer this bill -- combined bill. And I have here, for anyone who wants to see, Elizabeth in writing says, "We would send this to Foreign Relations." So, that is the Parliamentarian's ruling that Senator Cornyn's bill and my amendment attached to it would be referred to this committee.

I would point out as a great example, Senator Shaheen and I, as most members of the committee remember, twice had legislation sanctioning Nord Stream 2. That was sanctions legislation that, if it was nothing but the sanction, would have gone to Banking. However, we crafted it to be within this committee's jurisdiction. So, I believe the jurisdictional argument is not consistent with this committee's practice, and it is not consistent with the ruling of the Senate Parliamentarian.

The Chairman: And the Parliamentarian's answer to your question is absolutely correct. If the two were together in a bill, it would come to this committee, and we could act on it. My problem is I have got a specific rule

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addressing an amendment. Here is a way around this. It is going to take some -- it is going to have to wait until the next meeting do it. But if you reintroduce this bill as Cornyn-Cruz with both provisions in the bill, I don't have a problem here. We can -- this committee can act on it in keeping with what the Parliamentarian has said. I mean, she has said she would give it to this committee, and we will act on it. Can we do --

Senator Kaine: Mr. Chair?

The Chairman: Yes?

Senator Kaine: So, I am the co-sponsor of the bill, and I agree with everything Senator Cornyn said about the bill being in good shape, and I also view Senator Cruz's amendment as a friendly amendment. I was worried about the jurisdiction issue crossing it up and making it more complicated, but if that would be the ruling of the chair --

The Chairman: Right.

Senator Kaine: -- that a refiled bill with all-in-one would be safely within the jurisdiction of the committee and not complicated on the floor, I don't mind delaying it to enable that to happen.

The Chairman: Senator Cornyn?

Senator Cornyn: Mr. Chairman, I just -- I want to parse what you said and what Senator Cruz said. The fact that it would be -- if the sanctions provisions were included in the bill, that it would be referred to this committee, does that obviate any point of order --

The Chairman: It does.

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Senator Cornyn: -- in terms of the jurisdiction not --

The Chairman: Absolutely legit.

Senator Cornyn: -- once it goes to the floor?

The Chairman: Once it goes to the floor, it is fine if it -- if you take it to the committee.

Senator Cornyn: Well, I am happy to work with Senator Cruz to try to figure that out and --

Senator Cruz: Yes, I would certainly be amenable to that if Senator Cornyn is.

The Chairman: Senator Hagerty.

Senator Hagerty: Just to add one small thing, too, to the extent itself. Well, I chair the subcommittee on the Banking Committee that would have jurisdiction where this standalone will go, so if I can be helpful in any way. I agree with the substance of this as well. I would like to see it together.

Senator Cornyn: That would be great.

Senator Hagerty: So, I am happy to --

The Chairman: This happens occasionally. We get -- the damn rules get in our way of good work, and it is unfortunate.

Senator Shaheen.

Senator Shaheen: I agree with the sponsors and with Senator Cruz and Senator Risch that this would be a good addition to the bill. What I am hearing, though, is that when we checked with Banking, what we heard was it wasn't the sanctions provisions in it. It was the anti-money laundering provisions that

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they were objecting to. And so, if the goal here is to pull it back and put it together in a way that allows it to go through this committee, just -- I would just say we probably ought to check that out --

Senator Cornyn: Yes.

Senator Shaheen: -- and make sure that that is not going to stop it if it goes through this committee and doesn't get considered on the floor because the Banking Committee isn't willing to take it up.

The Chairman: Well, the Parliamentarian has already said she is going to give it to us.

Senator Cruz: Right, with the whole --

The Chairman: So, with this --

Senator Shaheen: Yes. Good.

The Chairman: -- with the Cruz language, so.

Senator Shaheen: Good.

Senator Cornyn: Well, Mr. --

The Chairman: And anybody on the floor can go -- can raise hell about it, but I suspect that is not going to be a problem here, so --

Senator Shaheen: But it is the money laundering.

Senator Cornyn: Mr. Chair, with Senator Hagerty's assistance, we will take it up with the Chairman of the Banking Committee, and we will get conclusive --

The Chairman: To waive -- they will waive jurisdiction, too. All right. So, unanimous consent then that we hold this for further work.

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Senator Cruz: Thank you.

The Chairman: All right. Thanks, everybody. I appreciate that.

Okay. The next one is Van Hollen-Curtis, Senate 2224, Taiwan International Solidarity Act, and there is, again, a Cruz amendment to this particular act, and, again, we have a similar kind of a problem on it. I can resolve this maybe. Senator Shaheen and I have agreed that we would take up your amendment as a standalone bill at the next business meeting. If we agree to do that, would you pull your amendment?

Senator Cruz: I would, next meeting. Thank you.

The Chairman: All right. Case closed.

Senator Shaheen: And are you okay?

Voice: Very good.

The Chairman: Is there an amendment to send --

Senator Van Hollen: I would --

[Cross talking.]

Senator Van Hollen: -- the Ranking Member and to Senator Curtis. It is good to work with you guys.

The Chairman: Thank you. Thank you all for that. Motion to send 2224 to the floor with a do pass recommendation?

Senator Ricketts: So move.

The Chairman: Moved. Seconded?

Senator Shaheen: Second.

The Chairman: All those in favor, signify by saying aye.

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[Chorus of ayes.]

The Chairman: Opposed, nay?

[No response.]

The Chairman: The ayes have it, and the bill has passed.

And I think lastly maybe, we have REPO 2.0. It is a Whitehouse-Risch, although Shaheen has had a lot of fingerprints on this bill, and with that, Senator Shaheen, did you want to speak to this particular bill?

Senator Shaheen: Well, as you point out, it has got strong bipartisan support. It is not just you and Senator Whitehouse. Senators Grassley, Blumenthal, and Graham all support it. This is a way that we can continue to support Ukraine in this fight against Russia. And I agree with your initial comments that we need to be thoughtful whenever we are repossessing frozen assets, but it seems to me that this is one of those cases where it is absolutely justified and we should move forward.

The Chairman: Senator Shaheen and I are in -- on one mind on this. Senator Lee has other thoughts.

Senator Lee: Yes. I would like to call up Lee First Degree Amendment Number 1 on this issue. Lee First Degree Amendment Number 1 simply would take the position that if this is going to unfold, Europe ought to go first. The overwhelming share of the assets that we are talking about are within the jurisdiction of our European allies, not within ours. Oh, we hold maybe \$500 -- maybe \$5 billion, whereas our European allies collectively have within their respective jurisdictions about \$300 billion of these Russian assets. And so, my

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amendment would just say that Europe ought to go first. They are closer to the action. If they want to use this as a funding mechanism, they ought to lead the way.

The Chairman: Senator Shaheen.

Senator Shaheen: Well, I would just point out that this week, Europe is set to approve a plan for a reparations loan to Ukraine using the frozen Russian assets. They have already committed \$200 billion of those and from a variety of countries. We have Mark Rutte, the Secretary General of NATO, who is here today. We will have an opportunity to talk to him later this morning about reinforcing that Europe is moving forward, and I think it is an important message that we are moving forward with the EU, not following the EU.

The Chairman: All right. I am going to also oppose the amendment and with all due respect, Senator Lee. I fully understand that there are undercurrents always regarding seizures. I get that. I really think that we -- I don't want to see the President's hands tied on this that would essentially stop it, and that would really allow the Europeans to have control over what we do, and I think we ought to be leaders on this, not followers on it. So, with all due respect, I am going to vote no on it, but I certainly appreciate where you are going on this. Is there further debate?

[No response.]

The Chairman: Will you take a voice vote on it or --

Senator Lee: Yes, happy to take a voice vote. I will just note that, look, it is great if some of this has already happened, but that it doesn't obviate the

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need for it [inaudible].

The Chairman: Thank you. All right. We had a motion to add the amendment Senator -- by Senator Lee. Seconded by Senator Curtis.

All those in favor of the amendment, signify by saying aye.

[Chorus of ayes.]

The Chairman: Opposed nay.

[Chorus of noes.]

The Chairman: It appears the noes have it. The bill --

Senator Cruz: Mr. Chairman, I would like to be recorded as voting yes on that amendment.

The Chairman: Senator voting?

Senator Cruz: I would like to be recorded as voting yes on that amendment.

The Chairman: Anybody can be recorded on that. We will get that into the record. So, we have to kick the bill out. Senate 2918 to the floor with a do pass motion to send it out.

Senator Ricketts: So moved.

The Chairman: Moved.

Voice: I second.

The Chairman: Seconded. All those in favor signify by saying aye.

[Chorus of ayes.]

The Chairman: The motion has passed. The bill will be sent to the floor with a do pass recommendation.

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That completes the committee's business. I ask unanimous consent that staff be authorized to make technical and conforming changes, that members of the committee be permitted to submit requests to the clerk in writing, to be reported as a no on any item on today's agenda.

Without objection, it is so ordered.

And with that, the committee is adjourned.

Senator Shaheen: Good work.

[Laughter.]

Voice: Hear, hear.

[Whereupon, at 10:15 a.m., the committee was adjourned.]