

# BUSINESS MEETING

*Thursday, July 26, 2018*

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

1 The committee met, pursuant to notice, at 10:06 a.m., in Room S-116, the Capitol  
2 Building, Hon. Bob Corker, chairman of the committee, presiding.

3 Present: Senators Corker [presiding], Risch, Flake, Young, Barrasso, Isakson,  
4 Portman, Paul, Menendez, Cardin, Coons, Kaine, Markey, and Merkley.

## **OPENING STATEMENT OF HON. BOB CORKER, U.S. SENATOR FROM TENNESSEE**

5 **THE CHAIRMAN.** The Foreign Relations Committee meeting will come to order.

6 We have on our agenda today six pieces of legislation, three nominees, and four Foreign  
7 Service officer lists.

8 First on the agenda is S. 1023, the Tropical Forest Conservation  
9 Reauthorization Act. Over recent years, the Tropical Forest Conservation Act has  
10 provided funds through debt-for-nature swaps for qualifying countries with  
11 tropical forests to conserve areas vital to our environment. Under the substitute  
12 amendment proposed by Senator Portman, countries with a tropical forest or a  
13 coral reef may be eligible for this program if they meet underlying governance

1 criteria. I want to recognize Senator Portman for sponsoring this bill and for  
2 working with us on a substitute amendment. Thank you so much.

3 **SENATOR PORTMAN.** Thank you, Chairman.

4 **THE CHAIRMAN.** We will also consider S. 1580, the Protecting Girls' Access  
5 to Education in Vulnerable Settings Act, which I will be supporting, as it further  
6 enhances education policies that we put into law last year with the READ Act.  
7 This bill focuses on the nearly 4 million children displaced by conflict that lack  
8 access to primary education, and seeks to overcome barriers to providing such  
9 education, particularly for girls. I want to thank Senator Rubio and Senators  
10 Menendez, Cardin, Coons, Markey, and Merkley for their support of this  
11 legislation.

12 S. 3248, the Turkey International Financial Institutions Act, calls on U.S.  
13 representatives at two major international financial institutions -- the European  
14 Bank for Reconstruction and Development and the International Finance  
15 Corporation -- to vote against loans to the Turkish government until it releases the  
16 U.S. citizens that it has detained arbitrarily. This includes Pastor Andrew  
17 Brunson, who Senator Shaheen recently visited.

18 I want to emphasize that we never wanted this bill to be necessary. We  
19 really have pushed through diplomatic channels for things to change. But many

1 of my colleagues and I warned the Turkish government that there would be  
2 consequences if it did not cease its unjust detention and harassment of U.S.  
3 citizens and locally-employed embassy staff. Although Pastor Brunson's transfer  
4 from prison to house arrest is a good first step after 21 months, this development is  
5 long past due. We will continue to pressure the Turkish government until we see  
6 an end to the harassment and arbitrary detention of all U.S. citizens, including  
7 Pastor Brunson, as well as U.S. Embassystaff. I want to thank our co-sponsors --  
8 Ranking Member Menendez and Senators Shaheen, Lankford, Tillis, and Nelson,  
9 for working with us on this bill, and I urge all members of the committee to  
10 support its passage.

11 S. Res. 501 recognizes the importance of having a free and open press in a  
12 democracy. It commemorates World Press Freedom Day, and I am happy to  
13 support it. I want to thank Senators Casey, Menendez, and Rubio for their work  
14 on this important resolution. I also want to recognize Senator Cardin for filing a  
15 first degree amendment, which pays tribute to the victims of the recent attack on  
16 the *Capital Gazette* in Annapolis.

17 S. Res. 541 expresses the sense of the Senate that any United States-Saudi  
18 Arabia civilian nuclear cooperation agreement should prohibit the Kingdom of  
19 Saudi Arabia from enriching uranium or separating plutonium on its own

1 territory, in keeping with the strongest possible nonproliferation “gold standard.”  
2 I will be supporting this resolution and the substitute amendments to it, which  
3 highlight the precedent set for gold standard agreements in the Middle East with  
4 the 2009 UAE 123 Agreement, and call on any 123 agreement with Saudi Arabia  
5 to bring into force the Additional Protocol with the International Atomic Energy  
6 Agency to ensure appropriate access for the IAEA to conduct monitoring and  
7 verification of a Saudi civil nuclear program. I want to recognize Senator Merkley,  
8 Senator Paul, and Senator Markey for their support of this important legislation.

9 S. Res. 571 condemns the ongoing illegal occupation of Crimea by the  
10 Russian Federation. As I stated at the last business meeting, I think it is important  
11 that we continue to reaffirm support for the sovereignty and territorial integrity  
12 of Ukraine while condemning Russia's illegal invasion of Crimea, which violated  
13 Russia's commitments under the Helsinki Final Act and the Budapest  
14 Memorandum. I want to thank Senators Menendez, Isakson, Portman, Rubio,  
15 Cardin, Coons, and Markey for supporting this resolution.

16 I do want to acknowledge that yesterday the State Department sent out a  
17 very strong resolution, which we appreciate. Sometimes hearings have effect.  
18 We thank them for sending that out yesterday.

1           Finally, I want to recognize -- finally I want to recognize Margaret Taylor,  
2 who joined this committee's staff first as a State Department fellow in 2013 and  
3 then as chief counsel in 2015. I understand that today will be her last business  
4 meeting with us. I want to thank her for all of her work on behalf of the  
5 committee. Thank you, Margaret, and I wish you the best in your future  
6 endeavors. I know Senator Menendez --

7           [Applause.]

**STATEMENT OF HON. BOB MENENDEZ,  
U.S. SENATOR FROM NEW JERSEY**

8           **SENATOR MENENDEZ.** Mr. Chairman, this will be a nicer session than  
9 yesterday. Anyhow, Mr. Chairman, let me start where you left off, and I appreciate  
10 the opportunity and a moment of personal privilege. As you said, this will be  
11 Margaret's last business meeting as our deputy staff director and the chief counsel  
12 on the Democratic side.

13           Margaret came over to us initially as a State Department fellow. I was pleased  
14 when I was chairman to hire her, as she quickly became indispensable. She has an  
15 impressive intellect, a magisterial knowledge of foreign policy, the State Department,  
16 and international law. But what has made her such a valuable staff member is her  
17 ability to go out and use that institutional knowledge to help us write new laws and  
18 then work tirelessly to make them a reality. It is a rare combination of skills.

1           For 6 years, she has been a tremendous advocate for this side of the aisle, but I  
2 think, more importantly, she has been able to reach across the aisle and work together  
3 to pass legislation and make a difference in the world. She has made a difference.  
4 She has used her position to advocate for the best of American foreign policy, to push  
5 for good government and human rights, and to deter America's adversaries.

6           So, Mr. Chairman, you have accommodated us to present her a resolution on  
7 behalf of the committee, and I want to take -- I am not going to read it all, Margaret --

8           [Laughter.]

9           **SENATOR MENENDEZ.** -- because it is so flowing and glowing, but you deserve  
10 every word that is written. Congratulations.

11          [Applause.]

12          **SENATOR CARDIN.** Can I ask the ranking member to yield before he finishes the  
13 rest? I would like, if I might, just to add my own personal thanks to Margaret. I think  
14 both of you have said it best: she represents the best professional talent we have on the  
15 Senate Foreign Relations Committee. She has done her work in a way of public service.  
16 She recognizes the importance of the work of this committee, has done it in a very  
17 nonpartisan, professional manner.

18          I got to know her well when I became ranking member, but then there was a  
19 period where Joe Schwartz left as our chief on the Democratic side, and Margaret

1 stepped in and acted -- in the acting capacity, and really kept the work of our committee  
2 moving forward. I got to understand the complexities when you are dealing with  
3 sanctions legislation, or dealing with the interagency issues, or dealing with the  
4 executive-legislative divisions. It is not easy, and Margaret gave us that capacity to be  
5 able to develop legislation that not only expressed our policy desires, but it actually  
6 worked. And her professionalism was an incredible service to our country, and I just  
7 really want to add my thanks.

8 [Applause.]

9 **SENATOR MENENDEZ.** Mr. Chairman, let me just refer to the business meeting.  
10 Margaret, I am glad that you heard all of this when you are leaving. Otherwise, you  
11 would have looked for a raise, so --

12 [Laughter.]

13 **SENATOR MENENDEZ.** There is only a limited budget, but you would have  
14 deserved it anyhow.

15 Mr. Chairman, thank you for calling the business meeting and for agreeing to  
16 take up our bipartisan resolution against the illegal Russian occupation of Crimea. I,  
17 too, want to thank Senators Portman, Coons, Rubio, Markey, and Cardin for joining us  
18 as co-sponsors. We all know well the many ways in which the Russian government  
19 continues to wage all sorts of aggression against the United States and our allies, and no

1 situation demonstrates this better than in Ukraine. Even as a hot conflict continues in  
2 the east of the country, the situation in Crimea under illegal Russian occupation, which  
3 the Kremlin is working to consolidate day by day, grows grimmer.

4 Our resolution calls on the Administration to never recognize Russia's illegal  
5 annexation of Crimea, so I am pleased that Secretary Pompeo in his testimony  
6 yesterday affirmed that the United States will never do so. Seventy-eight years ago this  
7 past Monday, the United States issued the Welles Declaration, doing just that with  
8 respect to the Baltic States that were then-illegally occupied by the Soviet Union. That  
9 stalwart commitment laid the foundation for the eventual freedom of the Baltic States  
10 and the strong partnership we enjoy with them today.

11 So, I just want to make a note, Mr. Chairman, sometimes what we do here really  
12 matters. I think it is interesting that Secretary Pompeo's statement on Crimea occurred  
13 just minutes before the hearing we held yesterday. I would submit to you that  
14 sometimes when we take up pieces of legislation like this one and we insist on  
15 Administration witnesses to appear before us, it is amazing what positive outcomes can  
16 come. So, I appreciate you bringing the resolution to this business meeting.

17 Turning to the Turkey International Financial Institutions Act, I want to salute  
18 you, Mr. Chairman, for your incredible commitment to highlighting the absolutely  
19 absurd and intolerable imprisonment of U.S. pastor, Andrew Brunson. I join you in

1 calling for his immediate and unconditional release. And I want to thank my colleague,  
2 Senator Shaheen, for her leadership in pushing forward legislation that makes clear the  
3 United States cannot continue to do business as usual with the Turkish government so  
4 long as it adheres to policies and actions that are totally inconsistent with what we  
5 should expect from a NATO ally. And this includes moving forward with the purchase  
6 of the S-400 from Russia, detaining locally-employed staff of the United States embassy,  
7 and generally creating an environment that tramples on the basic human rights and  
8 fundamental freedoms of the Turkish people.

9         So, there are a number of other legislative items on the agenda. I intend to  
10 support of all them. I will not speak to all of them. And finally, I intend to support the  
11 nomination of Dr. Denise Natali, who I believe has the expertise, knowledge, and  
12 commitment to lead the Bureau of Conflict and Stabilization Operations. I do not  
13 intend to support, although I allowed it to go forward, the nomination of Joseph Cella  
14 to Fiji. At Mr. Cella's hearing, I was unimpressed with many of the answers he  
15 provided to my questions, and I continue to be concerned about his demonstrated poor  
16 judgment, including recklessly using documents illegally obtained by WikiLeaks to  
17 make attacks on political opponents. So, I remain uncertain that he will serve with the  
18 trust and confidence that is required for Senate confirmation. Therefore, I will oppose  
19 his nomination today. Thank you, Mr. Chairman.

1           **THE CHAIRMAN.** Thank you. So we can end on a good note, why do we not do  
2 the nominations first, if that is all right with you.

3           **SENATOR MENENDEZ.** Sure.

4           **THE CHAIRMAN.** Okay. So, we will consider the nominations and the FSO lists  
5 on the agenda. Do we want to do them by voice vote or recorded --

6           **SENATOR MENENDEZ.** I am happy to do voice unless a member wants otherwise.

7           **THE CHAIRMAN.** Okay. Why do we not do them by voice vote, and anybody  
8 who wants to be recorded as a "no" can do so. I would like to do it en bloc if we could;  
9 the FSO lists along with Mr. Joseph Cella to be ambassador to Fiji and other Pacific  
10 Island nations, Dr. Denise Natali to be assistant secretary of state for conflict and  
11 stabilization operations, and Ms. Kimberly Breier to be assistant secretary of state for  
12 Western Hemisphere Affairs.

13           All those in favor, say aye.

14           [A chorus of ayes.]

15           **SENATOR MENENDEZ.** I would like to be listed as a no on Mr. Cella. And let me  
16 say, I am also supporting -- I did not realize we had Kimberly Breier on the nomination,  
17 but she is imminently qualified.

18           **SENATOR CARDIN.** Mr. Chairman, I also want to be recorded no on Cella.

19           **THE CHAIRMAN.** Okay.

1           **SENATOR KAINE.** Can I ask to be shown no on Cella --

2           **THE CHAIRMAN.** Absolutely.

3           **SENATOR KAINE.** No on Cella.

4           **THE CHAIRMAN.** Okay. All right. So, the ayes have it, and we have five recorded  
5 noes, all Democrats present, okay, if we would just note that, and thank you all for  
6 letting us move on with that. So, the ayes have it. They will be referred to the floor.

7           And I will move to the legislation now. I want to thank all members for being  
8 here. We will move to S. 1023, the Tropical Forest Conservation Reauthorization Act. Is  
9 there anyone that would like to speak further on this bill?

10           **SENATOR PORTMAN.** If I could speak briefly, first, to thank my co-sponsor,  
11 Senator Udall, and also the members of the committee. Senator Markey, I know you  
12 just got on the bill. Senator Whitehouse has been a member of the -- of the team looking  
13 at this issue. Senator Burr is another original co-sponsor.

14           This is legislation that was first introduced back in 1998. I was the author of it in  
15 the House. I think it has worked incredibly well. It is debt-for-nature swap. It is about  
16 taking debt that is owed to the U.S. by a foreign country, if the country meets certain  
17 political criteria, and allowing it to be relieved or even reduced. And I say it has  
18 worked because there have been about 20 agreements around the world. Fourteen  
19 countries have done it. The estimate is that 67 million acres of tropical forests have been

1 protected, and this was all done with about \$230 million in appropriated funds;  
2 leveraged with private sector funding, over \$335 million. So, it has been used to  
3 leverage the funding of private entities, NGOs, and so on.

4 Some say that tropical forests and the burning of them is the third or fourth  
5 source -- highest source of CO2 emissions. It is a significant source of it, and that --  
6 protection of that amount of forest means that 56 million metric tons of carbon dioxide  
7 has been sequestered. That is equivalent, Mr. Chairman, of taking about 12 million cars  
8 off the road.

9 And for those on the Republican side who are concerned about some of the  
10 regulatory effects of things, like some of the effects it would have on Ohio jobs with  
11 power plants and so on and even the CAFE standards, this does it without losing a  
12 single job. In fact, it helps these countries because getting that debt off their balance  
13 sheets can help them economically, and they are developing countries. So, I would ask  
14 today that the committee would reauthorize this for another 4 years.

15 We have an opportunity here to do something that is helpful also with coral reefs  
16 by expanding into that. We are told that 60 percent of the world's reefs are now under  
17 threat, and so that can be part of this debt-for-nature swaps. And, again, I thank the  
18 chairman for working with us on it and improving the legislation.

1           This is a \$20 million per year authorization for 4 years. Last time we did this it  
2 was \$325 million over 3 years, so it is a smaller amount based on the fact that we have  
3 done a pretty good job of finding those developing countries who want to take  
4 advantage of it. We know there are some others out there, and we think that \$20  
5 million will be adequate to continue to have the successes we have had in this program.

6           **THE CHAIRMAN.** Very good. Is there a motion to approve S. 1023, as amended  
7 by the substitute amendment?

8           **SENATOR MENENDEZ.** So moved.

9           **THE CHAIRMAN.** Is there a second?

10          **SENATOR KAINE.** Second.

11          **THE CHAIRMAN.** So moved and seconded.

12          The question is on the motion to approve S. 1023, as amended by the substitute  
13 amendment.

14          All those in favor, say aye.

15          [A chorus of ayes.]

16          **THE CHAIRMAN.** Opposed?

17          [No response.]

18          **THE CHAIRMAN.** With that, the ayes have it. The legislation, as amended, is  
19 agreed to.

1           Now, we will move to S. 1580, the Protecting Girls' Access to Education in  
2 Vulnerable Settings Act. I want to thank Senator Rubio again for working with us on a  
3 substitute amendment, which makes a number of technical edits and conforming  
4 changes to better align the bill with existing law. Are there any further comments on  
5 this bill?

6           [No response.]

7           **THE CHAIRMAN.** Is there a motion to approve S. 1580?

8           **SENATOR MENENDEZ.** So moved.

9           **SENATOR KAINE.** Second.

10          **THE CHAIRMAN.** Second. So moved and seconded.

11          The question is on the motion to approve S. 1580, as amended by the substitute  
12 amendment.

13          All those in favor, say aye.

14          [A chorus of ayes.]

15          **THE CHAIRMAN.** Opposed?

16          [No response.]

17          **THE CHAIRMAN.** With that, the ayes have it, and the legislation, as amended, is  
18 agreed to.

1           Next, we will consider S. 3248, the Turkey International Financial Institutions  
2 Act. Are there any additional comments on this bill?

3           [No response.]

4           **THE CHAIRMAN.** Is there a motion to approve S. 3248?

5           **SENATOR MENENDEZ.** So moved.

6           **THE CHAIRMAN.** Second?

7           **SENATOR KAINE.** Second.

8           **THE CHAIRMAN.** It is so moved and seconded.

9           The question is on the motion to approve S. 3248.

10          All those in favor, say aye.

11          [A chorus of ayes.]

12          **THE CHAIRMAN.** Opposed?

13          [No response.]

14          **THE CHAIRMAN.** With that, the ayes have it, and the legislation is agreed to.

15          Next, without objection, we will consider en bloc S. Res. 501, S. Res 541, and S.  
16 Res. 571, as amended by the noticed amendments to the resolutions, which includes the  
17 Cardin amendment to S. Res. 501. Would any members like to give any additional  
18 comments on these resolutions before we approve them?

19          **SENATOR MERKLEY.** Mr. Chairman?

1           **THE CHAIRMAN.** Yes, sir.

2           **SENATOR MERKLEY.** I want to thank Senator Paul and Senator Markey for co-  
3 sponsoring the gold standard resolution for Saudi Arabia. This blocks both the  
4 plutonium and the uranium route to civilian nuclear energy being converted into a  
5 potential bomb. This is a standard that we are trying to establish everywhere in the  
6 world, and it is so important in the context of the Middle East and the dynamic in Saudi  
7 Arabia and Iran. So, thank you, Mr. Chairman, for your support.

8           **SENATOR CARDIN.** Mr. Chairman?

9           **THE CHAIRMAN.** Yes?

10          **SENATOR CARDIN.** In regards to the freedom of the press resolution, first, I want  
11 to thank you for bringing that forward. The amendment that I offered recognizes that  
12 we have problems here in the United States. What happened at the *Capital Gazette* just  
13 recently was a tragic attack. And I appreciate the fact that we are adding this  
14 amendment, making it clear to the international community that all countries need to be  
15 vigilant in the protection of the freedom of the press.

16          **THE CHAIRMAN.** Thank you. Thank you both for your efforts and your  
17 comments. So, is there a motion to approve en bloc these three resolutions?

18          **SENATOR MENENDEZ.** So moved.

19          **THE CHAIRMAN.** Second?

1           **SENATOR PORTMAN.** Second.

2           **THE CHAIRMAN.** So moved and seconded. The question is on the motion to  
3 approve the resolutions, as amended.

4           All those in favor, say aye.

5           [A chorus of ayes.]

6           **THE CHAIRMAN.** Opposed?

7           [No response.]

8           **THE CHAIRMAN.** With that, the ayes have it, and the resolutions, as amended, are  
9 agreed to.

10          I ask unanimous consent that staff be authorized to make technical and  
11 conforming changes.

12          Without objection, so ordered.

13          With that, without objection, the committee stands adjourned. Thank you all  
14 yesterday -- for yesterday and today.

15          **SENATOR MENENDEZ.** Thank you.

16          **THE CHAIRMAN.** Thank you so much.

**[Whereupon, at 10:26 a.m., the meeting was adjourned.]**