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United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

May 20, 2020

The Honorable James E. Risch
Chairman
Senate Committee on Foreign Relations
423 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Risch,

We strongly object to your plan to hold a vote on the nomination of Michael Pack on Thursday, May 21st.

On May 7, 2020, we requested that you not move forward with a vote on Mr. Pack because of his refusal to provide the Committee information concerning what appear to be potentially illegal business dealings, as well as other matters. We are deeply disappointed that you did not respond to our concerns and that you scheduled a May 14 vote on Mr. Pack over our objection, contrary to the overwhelming practice and precedent of this Committee.

Thankfully, that vote did not occur. As the Committee now knows, the Office of the Attorney General for the District of Columbia (OAG) is investigating Mr. Pack in relation to the very same potential self-dealing and self-enrichment that formed the heart of the Committee's questions to him.

Instead of taking a step back and seeking a bipartisan solution, you are now planning to put Mr. Pack up for a Committee vote despite the fact that his business dealings are the target of an active law enforcement investigation and reportedly the subject of law enforcement subpoenas, and despite his continued refusal to correct false statements he made to the IRS.

Your plan to jam Mr. Pack through the Committee means that members will be voting on Mr. Pack without any answers on whether he has violated the law; whether other jurisdictions, in addition to the OAG, are investigating Mr. Pack; and whether you have any intent to cooperate with the OAG request for the Committee to provide documents related to Mr. Pack to assist with the OAG investigation. Moving forward under these circumstance is completely unacceptable and undermines the Committee and Senate interests in transparency and the rule of law.

We understand that the White House has put immense pressure on certain Senators to move forward with Mr. Pack despite his legal problems, but we urge you instead to work with us to find a bipartisan solution that advances the interests of the American people.

The egregious situation involving Mr. Pack is exacerbated by your intent to hold the vote in violation of Committee rules. Rule 3(d) requires a minimum of seven days advance public notice for a business meeting. You are providing two days' notice for the Pack vote.

The rule allows for an exception to the 7-day notice requirement *only* if the Chairman, *in consultation with the Ranking Member*, determines there is good cause. Here, there was no consultation with Ranking Member Menendez, and there is nothing that qualifies as “good cause.” Mr. Pack’s nomination has no connection to COVID-19 and is not urgent from a national security or foreign policy perspective. As a result, scheduling this vote for May 21 is a blatant violation of a basic rule intended to enhance transparency for the American people and safeguard their ability to monitor Committee activities.

The longstanding tradition of this Committee is for Republicans and Democrats to come together, find common ground, and resolve the most difficult issues. We are confident that we can do that in relation to the Pack nomination, and we urge you to work with us towards a consensus solution.

Sincerely,



Robert Menendez
Ranking Member



Benjamin L. Cardin
United States Senator



Jeanne Shaheen
United States Senator



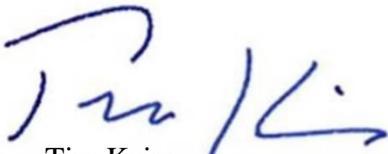
Christopher A. Coons
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United States Senator



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Tim Kaine
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