

BUSINESS MEETING

Thursday, June 23, 2022

U.S. SENATE
COMMITTEE ON FOREIGN RELATIONS
Washington, D.C.

The committee met, pursuant to notice, at 11:12 a.m., in Room S-116, The Capitol, Hon. Robert Menendez presiding.

Present: Senators Menendez [presiding], Cardin, Shaheen, Coons, Murphy, Kaine, Markey, Booker, Risch, and Rubio.

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

The Chairman: This business meeting of the Senate Foreign Relations Committee will come to order. I thank you all for attending.

Today, we are considering six nominations, three resolutions, and one FSO list. And while I am pleased that we are able to convene this meeting, I must note that today's agenda includes only a few resolutions and no business, despite the fact that there are dozens of bipartisan bills and resolutions pending before the committee and which I have sought to mark up.

From Senators Markey and Rubio and their Cambodia Democracy and Human Rights Act to Senators Shaheen and Portman and their work on the Transatlantic Telecommunications Security Act, and others, these pieces of legislation reflect good bipartisan work by many Senators on and off the committee on critical issues. There is a demand to legislate, and these efforts should not languish.

To that end, it is my sincere hope that I can work with the ranking member to get an agreement to a markup when we return in July that reflects this solid bipartisan work, and that means moving bills, not just resolutions.

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Turning to today's agenda, first to nominations, I am pleased that we are considering six nominees. Regrettably, Dr. Geeta Gupta is not a part of the agenda, despite the fact that she has answered all questions asked by members of this committee on both sides. Her nomination has been pending for more than 7 months, and it is simply unacceptable to delay her confirmation further.

Turning to the nominees, I am pleased we are considering Amanda Bennett to be the Chief Executive Officer of the U.S. Agency for Global Media. As we are facing increasing challenges related to misinformation and authoritarian crackdowns in the media, it is critical that we have a confirmed nominee to address these issues. I am confident that Ms. Bennett's leadership and over two decades of experience in journalism, including as the Director of Voice of America, uniquely positions her to join USAGM's powerful mission.

Today, we are also considering Ambassador Reuben Brigety to serve as Ambassador to South Africa. Ambassador Brigety has a long and distinguished record in public service and in education. In 2013, he was confirmed by voice vote as Ambassador to the African Union. He is eminently qualified to serve as our Ambassador to South Africa.

In the interest of time, I will not speak about each nominee but will reiterate what we already know. It is in our national security to have a full team in place in country to advance our national security and foreign policy goals.

On this note, I have provided a list of 20 nominees to the ranking member and I urge him to clear them for hearings in the first few weeks of the next work period. We need to get nominees confirmed, and our efforts need to reflect the urgency of the situation, an urgency that the Secretary of State raised with both of us when we were addressing the chiefs of mission yesterday.

And I think Senator Risch has indicated so himself that if we can do some [inaudible] both sides to facilitate working with us that maybe we can finally call these nominees up.

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Finally, we also have one of three resolutions celebrating the 75th anniversary of the Marshall Plan, S. Res. 674. I am pleased to have introduced that with Senator Risch.

S. Res. 623, calling on the Secretary of State to designate the Russian Federation as a state sponsor of terrorism, legislation sponsored by Senator Graham and Senator Blumenthal.

And S. Res. 669, condemning the use of hunger as a weapon of war, thanks to Senator Merkley and Young for their efforts on this resolution.

With that, let me turn to the ranking member for his opening remarks.

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

Senator Risch: Well, thank you very much, Mr. Chairman.

On the Gupta nomination, I have some follow-up questions for the record for the nominee. I have serious questions regarding her stances on abortion in terms of the U.S. law for any U.S. use of foreign assistance dollars for the performance or promotion of abortion.

These are important issues. I understand that we want to get the markup on her, and I promise I will continue to work diligently to get to that point, but I cannot right now.

On the other pieces that we have, we have tried to work in good faith -- and I think we have, and I think you are seeing that also -- to get to the place that we are. Two weeks ago, we took up a sizable agenda with a broad bipartisan agenda, and these matters are complex. They are not simple matters, but we continue to work with it.

For example, there are active negotiations going on right now on Senator Coons' democracy bill and Senator Shaheen's transatlantic communications bill. Senator Markey is going to hold me to join that. And we continue to engage on your priorities - and we are now about to introduce your Peace Corps reauthorization bill and continue to work on a really serious matter - and that is the Taiwan legislation that I know the you are actively engaged with and my staff is likewise.

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But all of these are, I think, good faith engagements. They are not things that just come in quickly anymore. So, in any event, I want to start by saying that I am glad that we were able to include the resolution you and I offered on S. Res. 674 celebrating the 75th anniversary of the Marshall Plan.

That, more than any other multilateral action, the Marshall Plan helped build the liberal world order we enjoy today. It served as the foundation for the transatlantic community, committed to the preservation of peace, prosperity, and democracy in Europe following World War II.

In the last 100-plus days, we have seen the world order again threatened by a dictator obsessed with his territorial legacy, this time by Putin in the Ukraine. And so, we engage with our European allies and partners in working to help the citizens of Ukraine feed their families and rebuild their land.

Along those lines, I am also glad to see Senate Res. 669 on the docket, condemning the use of hunger as a weapon of war. We have known for a long time that conflict is a major driver of food insecurity, but it was not until 2008 when we acknowledged and condemned the use of it as a weapon of war.

For years in the past, warring factions in Ethiopia, South Sudan, Syria, and Yemen have nonetheless continued to engage in global destruction of agricultural goods infrastructure and have both manipulated markets and imposed security and bureaucratic barriers upon humanitarians, culminating in the deliberate starvation of civilians.

Today, Russia is taking food hostage and waging a campaign of starvation that is affecting the globe. This resolution condemns the deliberate use of hunger as a weapon of war and calls upon the U.S. Government and our partners to respond to the needs in real time and hold perpetrators accountable.

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Lastly, I think it is wholly appropriate we consider Senate Res. 623, calling on the Secretary of State to designate the Russian Federation as a state sponsor of terrorism.

From the second Chechen war to Syria to the Donbas region, the Russian government has and continues to fund violent separatist movements and private military networks of mercenaries like the Wagner Group to promote acts of international terrorism against [inaudible]. It is time the United States Government called Russia what it is - a sponsor of terrorism -with all the legal ramifications that entails. I urge my colleagues to join me in supporting each of these timely and important decisions.

On nominations, I will keep this brief, but I did want to highlight my concerns regarding Elizabeth Bagley, the nominee for the ambassadorship for Brazil. Brazil is an extremely important ally to the United States and in South America and the Western Hemisphere, and we share common values and ideals especially with regard to respect to religious freedoms and democratic ideals.

Unfortunately, Ms. Bagley has made statements in interviews insinuating that Jewish and Cuban Americans' motivations and voting practices are based on major money and radical opposition in certain instances. For this reason, I plan to vote no on her and ask for a roll call vote on her nomination, please.

For the other nominations, Mr. Chairman, also that the members of the committee be permitted to submit to the clerk any requests to be recorded no on any item on today's docket. If members would like to submit a request to be recorded as no to the clerk, I ask that they submit them in writing in the form of assign letters so that there is a record of the requests.

So, thank you.

The Chairman: Thank you, Senator Risch.

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So let me first, though, without objection, we will now consider en bloc the entire agenda that was noticed for this business meeting -- all the resolutions, nominations, and the FSO list.

And so --

Senator Risch: Mr. Chairman, with one exception. Could we have a roll call on --

The Chairman: Yes. Yes. Yeah, I am sorry. We will have a roll call --

Senator Cardin: Mr. Chairman?

The Chairman: And so I am going to recognize Senators now to comment before we move and then second that en bloc.

So I think Senator Cardin asked for recognition first. Senator Rubio and Senator Shaheen, and then Senator Coons and Senator Murphy and Senator Kaine. We have a hell of a lineup.

[Laughter.]

The Chairman: Everybody wants to speak.

Okay. Senator Cardin?

Senator Cardin: Mr. Chairman, in regards to Elizabeth Bagley, the comments that Senator Risch referred to were inaccurate and offensive and gave oxygen to anti-Semitism and similar types of hate.

I had a chance to talk with her about this and asked her questions for the record. She has apologized for those statements. They did not represent her views then or now.

I know Ambassador Bagley. I know of her public record. I know of her values, and I know about her commitments to public service.

She has indicated very clearly that she believes in full inclusion in American politics by all individuals and communities. Because of this knowledge and because of her public

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statements distancing and of regret and making it clear it is not her views, I intend to support her nomination.

The Chairman: Thank you.

Senator Rubio?

Senator Rubio: There were just two of the nominations I want to comment on, and I actually would ask, Mr. Chairman, if we could also have a roll call vote on Mr. Mora, if that is possible, and I will tell you why.

First of all, he was a very strong advocate and his long goal, borderline, you know, obsessive advocate with the Obama policy on Cuba, which I think now, by most accounts, is recognized as a failure. Even President Biden returned to it.

And then the other that was really concerning is we asked him, and gave him multiple opportunities, to state an opinion on whether Juan Guaido is the legitimate interim president of Venezuela, which is the official position of the administration, and he refused to say that in writing or on the record at any point.

We gave him multiple opportunities to do it, and this is concerning not only the hemisphere, but we have Cuba, Nicaragua, and Venezuela that are obviously, you know, far leftist Latin American regimes. Then Argentina, unfortunately, joined the ranks, which is a troubling indication after the elections in Honduras [inaudible] fell back into that column.

I would say that the president of Mexico was less than cooperative in comments on many of the key issues. We watch with concern now after the elections in Colombia. We pray and hope for the best, but we were concerned about some of the comments made there and our partnership with Colombia, which is, in my view, the most successful that we have in the Western Hemisphere.

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And we watch carefully to see what happens in Brazil, and added to all that, we are going to send someone that will not even state that Juan Guaido is the legitimate interim president, which was the official position of this administration. I find that deeply concerning.

And then, on the South Africa nomination, which I am fine with voting en bloc, this has probably already been stated in other comments that we were all outraged and upset by the rally in Charlottesville. This is an individual who painted President Trump at the time as being the Nazi-in-chief and suggested that those that did not resign were complicit in those policies.

But what is more current is now that he had a lot of prestigious institutes, and there is a lot of people [inaudible] where he really was. But he spoke very positively about the potential U.S.-Chinese cooperation in Africa, and then in response to QFRs, a lot of people admitted, okay, we got China wrong back whenever we thought that they were becoming rich once they got [inaudible] to become more democratic. But he has doubled down on statements that we should be working with China in parts of Africa in the context of all sorts of issues that [inaudible] didn't want.

Even when he committed to raising concerns about Chinese influence with the South African government, he only said that Huawei was concerning because of their hiring practices. He would not even acknowledge or note that they are a well-known national security and data privacy problem for us.

I do not know why it is so hard to say that. I think South Africa is a key place. So I am going to oppose his nomination, but I do want a roll call on Mr. Mora, if possible.

The Chairman: The Senator has asked for a roll call. It is his privilege to do so. We will put Mr. Mora to a roll call as well.

Next in line is Senator Shaheen.

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Senator Shaheen: Mr. Chairman, I would like to speak to the two issues that you raised in your opening comments. We have been working on a number of bipartisan bills for months. We have been asking for feedback for months, and we have not been getting any response until just right before this business meeting was noticed.

And I think it really undermines the credibility of this committee and the really excellent work that has been done over so many years when all we produce is resolutions and it takes us months to get ambassadorial nominees out the door.

I mean, if you want to vote against them, I understand that. I think, as Marco said, I understand his rationale on the South African Ambassador. I do not necessarily agree with it, but we are at least voting on him.

And the fact that we are still messing around after 8 months without having an Ambassador to the Office of Global Women's Issues, I think it is just unacceptable. And I am sorry, guys, but if you look at the people who are being held up, they are overwhelmingly women, and that is a problem.

I do not know what is going on. But I think it just diminishes the credibility of this committee in a way that we should all be ashamed of.

The Chairman: Senator Coons?

Senator Coons: Thank you, Mr. Chairman.

I am glad we are proceeding with a number of important resolutions. I appreciate Senator Murphy's work on the resolution about condemning the use of hunger as a weapon of war. Many of us are engaged in trying to make sure that the \$5 billion that was in the Ukraine supplemental is, in fact, properly and appropriately spent, at least by the USAID and in partnership with nonprofits around the world.

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I will just briefly agree strongly with Senator Shaheen's concerns. We are just today getting out of this committee a nominee for a country as significant as Brazil, as significant as South Africa.

I understand that I have colleagues who have concerns or disagreements about specific things the nominees have both said or done. I know them both. I think they are both qualified. I think they will serve us well.

But frankly, at a time when the world is on fire, for us to lack an Ambassador, I will say, to India, to Brazil, to South Africa, a number of us, a bipartisan group of us, met with Ambassador Emanuel this morning. The impact he is making -- I think Senator Cardin was the host of that breakfast. The impact he is making in Japan is striking.

Is he a Democrat? Yes. Is he a progressive, partisan Democrat? Yes. Is he going to be a remarkably impactful Ambassador? Yes. And at the chief of mission conference, I was struck at how many of the career Foreign Service Officers are making a dramatic and positive impact around the world.

We should be confirming nominees to be Ambassadors and to serve in senior positions, whether it is at USAID or at State. Without them, we are crippling our Government and our ability to be well represented in the world.

I will specifically speak about the nominee for South Africa, Reuben Brigety, who I have known for years and I think has thoroughly explained the reasons for his one truly striking comment. Not to the satisfaction of all my colleagues, but I would urge my colleagues to get to know him and to support him.

The Chairman: Senator Murphy?

Senator Murphy: Thank you, Mr. Chairman.

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I would just associate myself with Senator Coons' and Senator Shaheen's remarks. I just wanted to make one quick point on S. Res. 623, the resolution calling on the Secretary of State to designate the Russian Federation as a state sponsor of terrorism.

I support this resolution. There is no doubt in my mind that Russia is using terrorism as a means to try to drive Zelensky to the negotiating table in order to stop the destruction of civilian areas and civilians themselves.

I would just note that Russia is not the only country that deliberately targets civilians and is doing it at an extraordinary rate, unparalleled in recent history. But I would hope that we would never be inconsistent about our application of this designation to choose that if sovereign nations, whether they are our adversary or our ally, deliberately target civilians that we apply this designation.

I think we also had some disagreements on this committee as to how to properly delineate designations of state sponsors of terrorism versus foreign terror organizations. I think that that also demands a little bit more clarity and consistency from all our work, and I look forward to continuing to explore how we bring that precedent and consistency to the way that we apply these designations.

But I fully support this resolution and look forward to a broader discussion of the report.

Thank you, Mr. Chairman.

The Chairman: Thank you.

Senator Kaine?

Senator Kaine: I just want to say a word about Elizabeth Bagley.

Senator Risch pointed out comments of hers that are offensive, and I was, frankly, very surprised. These were comments that were made in an interview in 1998 when, for an oral history project with the former Ambassador, she was interviewed, and the interview was to be

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about her experience as an Ambassador. Instead, the interviewer wanted her to opine on all kinds of things about presidential politics and interest groups, and they were offensive comments.

And, frankly, I was really surprised. I have known Elizabeth probably since 2008 or 2009, and when I saw those comments, I thought that does not sound like Elizabeth Bagley to me.

I did go back and look at the interview, and the comments cannot be excused. But what I noticed is if you look at the transcript, she had an interviewer with an agenda that was pushing her, and she sometimes would accept the premise of the interviewer's question. And there are a couple of instances in that excerpt where she pushed back and did not really accept it.

If the interview had happened in 2020 or 2021, I would probably have some real concerns about this. But I think she did a pretty good job before the committee of really eating humble pie and trying to be apologetic, and based on my knowledge of her service as Ambassador to Portugal, it certainly gives her some diplomatic heft.

But [inaudible] would be helpful, and so I am going to vote for her and urge everyone to do the same.

The Chairman: Senator Markey?

Senator Markey: Thank you.

Just following on Senator Kaine and Senator Cardin, Ambassador Bagley is remorseful for her comments. I have known her for 30 years. She is a genuinely compassionate and good person, and I do not really believe those comments reflect who she is.

They are on the record. But I think, at the same time, she is remorseful for what she said, and my hope is that we will give her support. She was our Ambassador in Portugal. She

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did an excellent job and gained measurement, and she can bring that experience into Brazil right now.

Kind of like at a key time, we need someone with that experience. So I hope we should be able to support her.

The Chairman: Thank you.

Any other members seeking recognition?

I am sorry?

Senator Risch: Yes. Yes. I am seeking --

[Crosstalk.]

Senator Risch: Look, I do not want to drag this out, but you know, before we break our wrists beating our breasts in righteous indignation, we have some real reservations. When somebody makes remarks like those that were made, I understand they were a long time ago. If this were reversed, you guys would be doing the exact same thing if it was a Republican that had made remarks from a long time ago.

So, look, I appreciate how you feel about this. But we do have a legitimate right to exercise our judgment as United States Senators to vote no on this. And so I feel strongly about that.

Senator Shaheen, we are working diligently on these. You know, you had a complicated fentanyl bill, you will recall. We worked with you on them, and we marked up just -- what was it, 2 weeks ago we marked up the fentanyl bill. And we are going to continue to work on this.

But we all have workloads. We have all -- and these are complicated matters on the legislation. I agree we should crank out as much as we can, but it needs to be right and not just kick it out for the sake of being kicked out.

So let us continue to get along here, and we will work in good faith on this. But, again, before we -- let us not beat each other up simply because somebody is voting no on this.

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Look, I have asked -- Meg Whitman is a wonderful woman. Now, she is a Republican, all right? She was recruited to be the Ambassador to Kenya, and I had to crank and crank and crank to get her out of here. I got her on the floor now, and I am not holding her up. But somebody sitting at this table is holding it up, and it is not a Republican.

So the door swings both ways. Let us try to get along. We will continue to work in good faith. We will do the best we can.

Senator Shaheen: Well, I just wanted to say I certainly agree with you, Senator Risch. As you already well know, I do not have a problem with that, and I do not have a problem with saying you do not agree with legislation.

But I have a problem with slow walking that has -- is keeping people from either getting voted in or voted out, and I think that does a disservice to our country. And I think that is what has been going on in a lot of these cases, and I am -- like you, I think we ought to all be able to get along. The bills that I have that are on hold are all bipartisan. But at some point we have to say to people it is in the interest of the country to do this and just get people to at least vote on some of them.

Senator Risch: And I agree with you. And again, I come back that what is wrong with Meg Whitman? Why is she being slow walked?

Senator Shaheen: I do not know, and I am happy to help you try and to get that whole [inaudible]. But I agree. I think she will be a great Ambassador.

Senator Risch: Well, Senator --

[Crosstalk.]

The Chairman: Let me -- we are going to have to vote. So I would ask for a table on this issue. But, Senator Coons, you wanted to speak, so please do so.

[Crosstalk.]

The Chairman: Senator Booker?

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Senator Booker: I am going to say what I wanted before, but go ahead [inaudible].

Senator Coons: Just to finish that point, we have a potential nominee. I was chair of the Africa Subcommittee. My predecessor, Senator Feingold, had an incredibly talented staff director, Sarah Margon. She was nominated more than a year ago for Democracy, Human Rights, and Labor, DRL at State and, to the best of my knowledge, has never had a vote in front of this committee.

I have a bipartisan bill with Lindsey Graham about modernizing our democracy assistance for the 21st century. If there is a subject area that I would expect us to be able to rule on in a bipartisan way, it is democracy. And those are two of many examples.

I know we are struggling to move. I just hope that we will move bills and nominees like those.

The Chairman: Let me wrap up here because I see our colleagues are pressed to leave, and we need them to be able to continue a quorum.

Look, I would simply say, number one, no one has a problem with a member exercising their rights. That is fine. I do not think anybody is questioning that. Secondly, there was a changing case for the nomination.

Secondly, you know, if you wait 7 months and then you have follow-up questions, it really makes you wonder did you have follow-up questions that suddenly came to light, or is it that you are wanting to prolong the time of keeping that nominee off the schedule?

The other thing is when we do not get feedback on legislation, then we cannot get to a common ground that hopefully can lead to a pathway. And sometimes it takes an inordinate amount of time to get feedback on legislation.

On Mr. Mora, I will just say I have asked for the record to be checked. This will be important to me, and the record reflects that in response to questions, he said, "I will continue to fully support U.S. policy, which recognizes Guaido." He was asked if he would continue the

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U.S. policy that recognizes Guaido as interim president. He said yes. So that is the record with regard to that.

Now, let me finally [inaudible] and then we will vote.

You know, the reality is, is that the ranking member has held up a series of people, some of them for a year, that have not even had a chance to have a vote in the committee. And so we all know the preferences here. And so sometimes in order to get other nominees to have their day -- just simply for a vote, up or down -- that others are held, and that is the reality that we face.

Now, I do not think anybody takes any pleasure -- I do not -- in holding up a nominee. But when it is the only leverage in order to get to the point where we can have other nominees be considered for a yes or no vote, well, that is the nature of the process.

So we do not -- if you do not hold up people, we will not either. It is as simple as that. I think that is a very fair exchange. Give everybody a vote.

With that, I will entertain a motion, except for the two roll call votes, that the rest of the agenda except for Mora and Bagley be approved in bloc. Is there a motion for that?

Senator Cardin: So moved.

Senator Shaheen: Seconded.

The Chairman: All of those in favor will say yes.

Oh, I am sorry. S. Res. 623, the manager's amendment; S. Res. 669, the preamble resolving clause amendment.

With that, en block, those -- including those amendments, all those in favor will say aye.

[A chorus of ayes.]

The Chairman: All those opposed will say no.

[A chorus of noes.]

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The Chairman: The ayes have it and that en bloc group is agreed to.

The last two things, a roll call vote on Francisco Mora. The clerk will call the roll.

The Clerk: Mr. Cardin?

Senator Cardin: Aye.

The Clerk: Ms. Shaheen?

Senator Shaheen: Aye.

The Clerk: Mr. Coons?

Senator Coons: Aye.

The Clerk: Mr. Murphy?

Senator Murphy: Aye.

The Clerk: Mr. Kaine?

Senator Kaine: Aye.

The Clerk: Mr. Markey?

Senator Markey: Aye.

The Clerk: Mr. Merkley?

The Chairman: Aye, by proxy.

The Clerk: Mr. Booker?

Senator Booker: Aye.

The Clerk: Mr. Schatz?

Senator Schatz: Aye.

The Clerk: Mr. Van Hollen?

Senator Van Hollen: Aye.

The Clerk: Mr. Risch?

Senator Risch: No.

The Clerk: Mr. Rubio?

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Senator Rubio: No.

The Clerk: Mr. Johnson?

Senator Risch: No, by proxy.

The Clerk: Mr. Romney?

Senator Risch: No, by proxy.

The Clerk: Mr. Portman?

Senator Risch: No, by proxy.

The Clerk: Mr. Paul?

Senator Risch: Aye, by proxy.

The Clerk: Mr. Young?

Senator Risch: No, by proxy.

The Clerk: Mr. Barrasso?

Senator Risch: No, by proxy.

The Clerk: Mr. Cruz?

Senator Risch: No, by proxy.

The Clerk: Mr. Rounds?

Senator Risch: No, by proxy.

The Clerk: Mr. Hagerty?

Senator Risch: No, by proxy.

The Clerk: Mr. Chairman?

The Chairman: Aye.

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

The Chairman: The nomination is favorably reported to the Senate.

Now the clerk will call the roll on Elizabeth Frawley Bagley.

The Clerk: Mr. Cardin?

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Senator Cardin: Aye.

The Clerk: Ms. Shaheen?

Senator Shaheen: Aye.

The Clerk: Mr. Coons?

Senator Coons: Aye.

The Clerk: Mr. Murphy?

Senator Murphy: Aye.

The Clerk: Mr. Kaine?

Senator Kaine: Aye.

The Clerk: Mr. Markey?

Senator Markey: Aye.

The Clerk: Mr. Merkley?

The Chairman: Aye, by proxy.

The Clerk: Mr. Booker?

Senator Booker: Aye.

The Clerk: Mr. Schatz?

Senator Schatz: Aye.

The Clerk: Mr. Van Hollen?

Senator Van Hollen: Aye.

The Clerk: Mr. Risch?

Senator Risch: No.

The Clerk: Mr. Rubio?

Senator Rubio: No.

The Clerk: Mr. Johnson?

Senator Risch: No, by proxy.

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The Clerk: Mr. Romney?

Senator Risch: No, by proxy.

The Clerk: Mr. Portman?

Senator Risch: No, by proxy.

The Clerk: Mr. Paul?

Senator Risch: No, by proxy.

The Clerk: Mr. Young?

Senator Risch: No, by proxy.

The Clerk: Mr. Barrasso?

Senator Risch: No, by proxy.

The Clerk: Mr. Cruz?

Senator Risch: No, by proxy.

The Clerk: Mr. Rounds?

Senator Risch: No, by proxy.

The Clerk: Mr. Hagerty?

Senator Risch: No, by proxy.

The Clerk: Mr. Chairman?

The Chairman: Aye.

The Clerk: Mr. Chairman, the yeas are 11; the noes are 11.

The Chairman: The motion is tied, and according to Senate Resolution 27, I will transmit a notice of a tie vote to the secretary of the Senate, thereby giving either the majority or the minority the authority to make a motion to discharge the nomination.

This completes today's business. I ask unanimous consent that staff be authorized to make technical and conforming changes.

Without objection, so ordered.

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I thank the members. This meeting is adjourned.

[Whereupon, at 11:44 a.m., the hearing was adjourned.]