

# **BUSINESS MEETING**

*Wednesday, September 25, 2019*

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

1           The committee met, pursuant to notice, at 1:40 p.m., in Room S-116, The  
2 Capitol, Hon. James Risch, chairman of the committee, presiding.

3           Present: Senators Risch [presiding], Johnson, Gardner, Romney, Graham,  
4 Isakson, Barrasso, Portman, Young, Cruz, Menendez, Cardin, Shaheen, Coons,  
5 Udall, Murphy, and Merkley.

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

6           **THE CHAIRMAN.** The committee will come to order, and I want to thank  
7 all of you who are here. I would preach to those that were not, but it would not  
8 do any good.

9           So in any event, we have a committee business meeting today where we  
10 have four resolutions and it looks like five bills. I am going to remove Senate Bill  
11 2503. I think everybody on this committee is interested in that bill. Everybody  
12 on this committee wants to pass this bill. I think it will go quicker and smoother

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1 if I can pull this right now and bring it back next time. I know, Senator  
2 Menendez, did you want to say about that right now or no?

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

3 **SENATOR MENENDEZ.** I will as part of my remarks. I am deeply  
4 disappointed in that --

5 **THE CHAIRMAN.** So am I.

6 **SENATOR MENENDEZ.** -- where we are having it pulled. I will just say, Mr.  
7 Chairman, on this, I understand that one of our fellow colleagues is holding over  
8 the bill, and that is deeply disappointing after months of negotiations. We  
9 reached a bipartisan compromise on the text agreed by Senator Rubio, the  
10 chairman, Senator Durbin, and myself to reauthorize the U.S. Commission on  
11 International Religious Freedom for 4 years. And then yesterday we are told that  
12 the bill is being held over, and we would have to reopen negotiations, and I am  
13 honestly confused.

14 We negotiated in good faith for months. Our staffs met with the current  
15 commissioners and the executive director multiple times to get their input.  
16 Senators read and then signed off on the bipartisan text. I have not heard a  
17 single objection to the bill from a senator or, for that matter, from a

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1 commissioner, just some rumors that one or two commissioners do not like the  
2 bill and contacted Republican staff, as they claim. Now, if there are genuine  
3 problems with the text, I am happy to discuss them, but pulling the bill off of the  
4 agenda because of a commissioner's whispers is not the way we should be doing  
5 business.

6 My staff has been told that there is now opposition to the bipartisan  
7 language -- bipartisan language that would require the commission to examine  
8 the abuse of religion to justify human rights violations. And I wonder why  
9 opposition all of a sudden because the USCIRF already does this. Why is there  
10 opposition to putting something into law simply -- the law that some -- that the  
11 USCIRF has done for years? They have done reports on the use of blasphemy  
12 laws in certain countries and abuse within Saudi textbooks. Do we not want  
13 them to look at blasphemy laws in Saudi textbooks anymore?

14 My staff have also heard that some object to provisions which increase  
15 transparency of Commission activity. The idea that Republicans want less  
16 transparency from a federally-funded congressionally-created commission is  
17 perplexing. The agreed-upon text tackled some of the most concerning issues of  
18 the Commission. The bill requires the disclosure of privately-funded foreign

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1 travel, requires USCIRF staff to follow Senate ethics rules, clarify that USCIRF  
2 employees are employees under the Congressional Accountability Act, and  
3 provide for removal of commissioners who violate the CAA. It comes as no  
4 surprise to me that maybe some of the current commissioners may take issue  
5 with the new requirements precisely because they are part of the problem.

6 The USCIRF is a congressionally-created entity. Congress, not  
7 commissioners, has the duty to reauthorize and, when necessary, reform the  
8 Commission. So I really hope, Mr. Chairman, and I appreciate the work that you  
9 put into this with us to get to a bipartisan compromise that I thought we were  
10 ready to go with. I hope we can get back there very soon.

11 **THE CHAIRMAN.** I hope so, too, and I believe we will get back there very  
12 soon. I think the problems are not quite as extensive perhaps as you have  
13 outlined. But I am -- I am not the one that is carrying the torch on this, so we  
14 will -- we will get to this. I think everybody on this committee wants a vote on  
15 this. I suspect it is going to be a unanimous vote. Senator Shaheen.

16 **SENATOR SHAHEEN.** Do we know who is holding it up? Is it someone on  
17 the committee or is it someone --

1           **THE CHAIRMAN.** Well, Senator Rubio has been the one that made the  
2 request, and he is -- I think if he was here today, we would probably be able to  
3 hammer that out. But as a matter of comity, I am going to hold this up. Look,  
4 the ranking member is correct. I want this as much as anybody else does, and  
5 everybody on this committee, I think. I think by doing it the way we are talking  
6 about, we will get there easier, and sooner rather than later. Senator Coons.

7           **SENATOR COONS.** Mr. Chairman, Ranking Member, I just want to express  
8 my pleasure that there is a broad slate of bipartisan bills and resolutions before  
9 us today. I think we are at a substantive business meeting. I request to be added  
10 as a co-sponsor to Resolution 183 relating to our relationship with Japan; 236,  
11 supporting Tunisian democracy; and 277, the Buenos Aires car bombing attack. I  
12 just think it is good we are getting back to this point.

13           **THE CHAIRMAN.** Thank you, Senator Coons, and you will be added.

14           **SENATOR MENENDEZ.** Mr. Chairman, if I may --

15           **THE CHAIRMAN.** Go ahead.

16           **SENATOR MENENDEZ.** On the broader context, I was responding to the  
17 pulling of the one legislation.

18           **THE CHAIRMAN.** Sure.

1           **SENATOR MENENDEZ.** So before turning to the rest of today's agenda, I feel  
2 compelled to speak about the news of the past few days. The allegations made  
3 against the President, I believe, are grave and require the full attention of the  
4 Senate Foreign Relations Committee. I believe we have to hold hearings to get to  
5 the bottom of what happened. Let me outline the steps I have taken and I hope  
6 we would take.

7           First, I sent a letter yesterday to Secretary Pompeo calling on him to clarify  
8 the role of the State Department in the deliberations surrounding security  
9 assistance for Ukraine. I have asked him whether the Department provided any  
10 support to the President's personal lawyer, who appears to be playing the role of  
11 assistant secretary for Europe, a position for which the Administration still does  
12 not have a nominee. The same goes for Kiev where we also do not have a Senate-  
13 confirmed ambassador. Second, I also wrote to the State Department inspector  
14 general and Acting Chief of Staff Mulvaney posing similar questions that I just  
15 outlined regarding Secretary Pompeo. And finally, I have introduced the  
16 Ukraine Foreign Assistance Integrity and Accountability Act of 2019, and I  
17 would welcome co-sponsors.

1           Among other things, the bill would require an inspector general/State  
2 Department investigation into the Office of Budget and Management's delays in  
3 obligating these funds. My legislation would require the State Department to  
4 share all records related to the delay in obligating of critical security assistance  
5 for Ukraine and into the Department's role in facilitating the President's personal  
6 lawyer's engagement with the Ukrainian government. It would require the  
7 Administration obligate all Ukrainian security assistance funds and authorize  
8 additional funds to counter Russia malign influence across Europe. And finally,  
9 it would express solidarity with the Ukrainian people by imposing some new  
10 sanctions on Russia for its continued aggression in Eastern Ukraine.

11           So given the urgency of the situation, I asked you, Mr. Chairman, to  
12 consider marking it up today. I know you felt that there was short order  
13 involved. So I hope that we can get your permission to take up this legislation at  
14 the next business meeting when, along with considering DASKA and other  
15 Russia legislation, which you agreed to. I think this committee has a  
16 responsibility and an obligation to ensure that our national security process and  
17 diplomacy are not corrupted by anyone, by a President who has one interest and

1 one interest only, self-preservation. The committee would do a disservice to the  
2 American people if we allow the tools of foreign policy to be used in this way.

3 And finally, I appreciate your support and the committee's effort on a  
4 different matter to address toxic waste in our ocean. This bipartisan bill focuses  
5 on improving U.S. foreign policy and international cooperation to combat foreign  
6 sources of toxic waste and marine debris. The reality is that the toxic waste in our  
7 ocean knows no borders. What may be a plastic wrapper floating down a river  
8 in China today could be the micro plastic in your tuna salad tomorrow. No one  
9 wants to swim in plastic or eat fish that fed on micro plastic. The bill has  
10 tremendous stakeholder support, including both environmental NGOs and in the  
11 private sector, and it is bipartisan.

12 And I also support all of the other legislation before us. I commend those  
13 who have been the prime sponsors and who have joined, and as well as the  
14 nominees that are before the committee. I support them and the FSOs.

15 **THE CHAIRMAN.** Thank you, Senator. First of all, let me say that yesterday  
16 Senator McConnell committed to having the Senate Intelligence Committee and  
17 directed the Senate Intelligence Committee to deal with the issues that -- a  
18 number of the issues that you have raised. I am going to respect his request in

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1 that regard. Yesterday, the Senate unanimously approved the resolution offered  
2 by Senator Schumer to get the transcript released. It was released this morning.  
3 I urge every American to spend the few minutes it takes to read that and make  
4 up their own mind on that.

5 As far as the Ukrainian Foreign Assistance Integrity and Accountability  
6 Act of 2019, I -- it was delivered yesterday. I have not had a chance to read it yet  
7 or study it. I will do so, and then we will talk about going forward on it, so thank  
8 you very much.

9 **SENATOR MENENDEZ.** Mr. Chairman, one observation.

10 **THE CHAIRMAN.** Please.

11 **SENATOR MENENDEZ.** The resolution passed by -- agreed to -- Senator  
12 Schumer provided and passed by the Senate speaks to the question of the  
13 whistleblower in the intelligence community who wishes to come before the  
14 Intelligence Community and share their story of whatever it is they feel is wrong.  
15 That is fine. But there are a series of issues here having nothing to do with the  
16 whistleblower, that have everything to do with the State Department that this  
17 committee has jurisdiction and oversight on and should be engaged robustly in

1 them. And I would urge you separate and apart -- I know the chairman also sits  
2 on the Intelligence Committee.

3 But bifurcating whatever the whistleblower has to say, there are serious  
4 here. How is it that Rudy Giuliani becomes an entity of the United States to  
5 engage in Ukraine? Who made him ambassador? Who made him special envoy?  
6 Who made him whatever to do that? How is it -- what is it that the State  
7 Department did or did not as it relates to our assistance to the Ukraine?

8 My understanding is that they not only sent the request for the monies to  
9 be committed, that there was no policy objections to the request posed by the  
10 State Department, and no policy questions posed to them by OMB. But we need  
11 to verify it and get that information out there if that is the case. So I would urge  
12 you to consider all those things that are outside of the whistleblower issues, but  
13 surely within the jurisdiction of the committee.

14 **THE CHAIRMAN.** And I will do so. This matter is relatively new. It is very  
15 fluid. And as it crystalizes, we will -- I will make a decision on where we are  
16 going to go on it. I appreciate your concerns on that, and I -- in any event, if it is  
17 okay, we will go on with the business of the committee meeting. So with that --

18 **SENATOR SHAHEEN.** Mr. Chairman?

1           **THE CHAIRMAN.** Yeah, Senator Shaheen.

2           **SENATOR SHAHEEN.** Would it be appropriate to make a statement about  
3 another issue now? It is not on the agenda and it has to do with Afghanistan.

4           **THE CHAIRMAN.** Well, that has not bothered me, right? Oh, please make  
5 your statement.

6           [Laughter.]

7           **SENATOR SHAHEEN.** I just -- I just wanted to remind everybody what I am  
8 sure most people already know, and that is Afghanistan is having their  
9 presidential elections this Saturday. The ambassador -- I had a meeting with the  
10 ambassador last week, and we talked about the fact that it would be important  
11 for the United States to go on record as supporting free and fair elections given  
12 the Taliban is interested in preventing those from happening. I have been  
13 working on a resolution with Senator Tillis because we are the co-chairs of the  
14 Senate NATO Observer Group, and this is a NATO mission.

15           But we are going to circulate that and get as many sponsors as we can. I  
16 think it is appropriate for it to be a bipartisan resolution that says that it is in the  
17 interest of all of us that Afghanistan is able to hold their elections on time  
18 without interference. So I would hope that everybody would take a look at that

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1 and consider signing on because I think it is important for us to make a statement  
2 that the Afghans receive about the importance of their elections.

3 **THE CHAIRMAN.** Thank you. And I have a couple of questions about that,  
4 but because of our timing, I will talk to you about that privately. So with that,  
5 this is the chairman's intent here. We have got two noms. I am going to take  
6 those up first, then we will go to the resolutions, and then finally to the  
7 legislation. If there is no objection, both Mr. Boehler and Mr. Zuckerman have  
8 been in and out and around and around. We have debated it backwards and  
9 forwards. I would entertain a motion en banc to approve both Mr. Boehler and  
10 Mr. Zuckerman, then do a -- and -- excuse me -- and there is a lengthy list also --  
11 an FSO list. I would entertain a motion to approve all three of those by voice.

12 **SENATOR MENENDEZ.** So move.

13 **VOICE.** Second.

14 **VOICE.** Second.

15 **THE CHAIRMAN.** You have heard the motion, which has been duly  
16 seconded.

17 All those in favor, signify by saying aye.

18 [A chorus of ayes.]

1           **THE CHAIRMAN.** Opposed, nay.

2           [No response.]

3           **THE CHAIRMAN.** The ayes have it, and the motion is passed.

4           **SENATOR CARDIN.** Recorded as “no” on the Zuckerman nomination.

5           **THE CHAIRMAN.** Pardon?

6           **SENATOR CARDIN.** Recorded no on the --

7           **THE CHAIRMAN.** Yes. Yes. Senator Cardin will be recorded “no” on  
8 Zuckerman. Anybody else wish to be recorded?

9           [No response.]

10          **THE CHAIRMAN.** There being none, we will move now to the resolutions.

11 There are Resolutions 6, 7, 8, and 9. Again, these have been hashed out really  
12 well as far as the staff is concerned. This is Senate Resolution 183, as amended by  
13 the preamble amendment, Senate Res. 236, Senate Res. 277, Senate Res. 318, as  
14 amended by the revised Merkley First Degree 1 Amendment. So I am told that  
15 we have all the issues hammered out on that. I would -- I would accept a motion  
16 to approve the full resolutions en banc.

17          **VOICE.** So move.

1           **THE CHAIRMAN.** It has been moved and seconded that we approve all four  
2 en banc. Senator Cruz, did you have debate or were you --

3           **SENATOR CRUZ.** No, I was just going to ask consent to be added to Senate  
4 Resolution 318 as a co-sponsor.

5           **THE CHAIRMAN.** There being no objection, it will be so ordered.

6           Is there anything further?

7           [No response.]

8           **THE CHAIRMAN.** If not, all those in favor of the motion, signify by saying  
9 aye.

10          [A chorus of ayes.]

11          **THE CHAIRMAN.** Opposed, nay.

12          [No response.]

13          **THE CHAIRMAN.** The ayes have it. Those four resolutions I have read have  
14 been adopted.

15          **SENATOR ROMNEY.** Mr. Chairman, was that the -- Tunisia, that was 236?  
16 Is that right?

17          **THE CHAIRMAN.** It was, yes.

18          **SENATOR ROMNEY.** I would like to be shown also as a co-sponsor of that.

1           **THE CHAIRMAN.** If there is no objection, you will be added.

2           **SENATOR MENENDEZ.** Mr. Chairman, I would ask to be added as a co-  
3 sponsor to the TAIPEI Act.

4           **THE CHAIRMAN.** Is there objection?

5           [No response.]

6           **THE CHAIRMAN.** Hearing none, it is so ordered.

7           **SENATOR MERKLEY.** Mr. Chairman?

8           **THE CHAIRMAN.** Senator Merkley.

9           **SENATOR MERKLEY.** Can I be added as -- recorded "no" on Mr.  
10 Zuckerman?

11          **THE CHAIRMAN.** Yes, you may.

12          **SENATOR MERKLEY.** Thank you.

13          **THE CHAIRMAN.** The clerk will add you as a "no." Okay. The first thing  
14 we are going to take up is the -- did you want to take this one up first or not? All  
15 right. Senate Bill 1678, the TAIPEI Act. Is there any debate or is there a motion  
16 on Senate Bill 1678 -- excuse me -- the manager's amendment on Senate Bill 1678,  
17 the TAIPEI Act. The chairman will entertain a motion.

18          Voice: So move.

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

2           **SENATOR MENENDEZ.** Second.

3           **THE CHAIRMAN.** Moved and seconded that the manager's amendment to  
4 the TAIPEI Act, Senate Bill 1678, be adopted. Is there debate?

5           [No response.]

6           **THE CHAIRMAN.** There being no debate, all those in favor, signify by  
7 saying aye.

8           [A chorus of ayes.]

9           **THE CHAIRMAN.** Opposed, nay.

10          [No response.]

11          **THE CHAIRMAN.** The ayes have it, and the motion is passed.

12          **SENATOR CRUZ.** Mr. Chairman?

13          **THE CHAIRMAN.** Now, with the -- yes, Senator Cruz.

14          **SENATOR CRUZ.** I would ask consent also that I be added as a co-sponsor  
15 to S. 1678, and also 1838, and 2372.

16          **THE CHAIRMAN.** There being no objection, it is so ordered.

17          Now, let us go to final passage on -- Senator?

18          **SENATOR ROMNEY.** Mr. Chairman, same request on my behalf.

1           **THE CHAIRMAN.** Senator -- it will be so ordered. Senator Gardner.

2           **SENATOR GARDNER.** I just want to make a few comments on the bill itself.

3           **THE CHAIRMAN.** Okay. Well, would you make a motion to adopt the bill?

4           We have adopted --

5           **SENATOR GARDNER.** I move to adopt S. 1678 --

6           **THE CHAIRMAN.** As amended by the manager's package.

7           **SENATOR GARDNER.** As amended by the manager's amendment.

8           **THE CHAIRMAN.** Okay. Is there a second?

9           **SENATOR MENENDEZ.** Second.

10          **THE CHAIRMAN.** Is there debate? Senator?

11          **SENATOR GARDNER.** Thank you, Mr. Chairman, for bringing this up.

12          Obviously with the news that in recent days of the Solomon Islands and Kiribati  
13          changing their allegiance or their recognition of Taiwan to China, China's  
14          continued harassment and bullying and economic activities throughout the  
15          region pose a significant threat to Taiwan's democracy and economy, and it is  
16          time the United States do more as we stand with Taiwan. It is time the United  
17          States do more to stand with Taiwan.

1           We have passed a number of great legislative actions and measures over  
2 the past several years -- the Taiwan Travel Act, the Asian Reassurance Initiative  
3 Act, and a number of other provisions. This is one more way to stand with those  
4 countries who will stand with Taiwan to create rewards and opportunities for  
5 those that stand with the United States as we stand with Taiwan.

6           Look no further than what is happening in Hong Kong as what Taiwan's  
7 future looks like should Chinese aggression, bullying, and disregard for  
8 democracy and autonomy be allowed to move forward without the United States  
9 standing up. So thank you very much for the support of the bill, and I look  
10 forward to moving this through the process.

11           **THE CHAIRMAN.** Thank you, Senator. Is there further debate?

12           [No response.]

13           **THE CHAIRMAN.** There being no further debate on the motion to Senate  
14 Bill 1678, all those in favor, signify by saying aye.

15           [A chorus of ayes.]

16           **THE CHAIRMAN.** Opposed, nay.

17           [No response.]

18           **THE CHAIRMAN.** The ayes have it.

1 I will go to Senate Bill 1590, Rescuing Animals with Rewards Act. There is  
2 no manager's amendment on it. I will consider a motion to --

3 **SENATOR MERKLEY.** So move.

4 **SENATOR MENENDEZ.** Second.

5 **THE CHAIRMAN.** Senator Merkley has moved. Senator Menendez has  
6 seconded. Is there debate?

7 **SENATOR MERKLEY.** Mr. Chairman?

8 **THE CHAIRMAN.** Senator Merkley.

9 **SENATOR MERKLEY.** I will say briefly that the international trafficking in  
10 wildlife is having a huge impact on species across the world. This gives the State  
11 Department authority to offer rewards for information to understand those  
12 trafficking networks or to pursue specific criminal networks. The State  
13 Department has had a rewards program, but they have never had authorization  
14 for it, and I think this will provide a strong foundation for them to expand that  
15 and expand their attack on this illegal trade.

16 **THE CHAIRMAN.** Well said, Senator Merkley. It certainly is an appropriate  
17 issue that you are focused on. We deeply appreciate it.

18 **SENATOR UDALL.** Mr. Chairman?

1           **THE CHAIRMAN.** Senator?

2           **SENATOR UDALL.** Could I be added as a co-sponsor to that?

3           **THE CHAIRMAN.** Senator Udall will be added as a co-sponsor. So we have  
4 a motion pending to adopt Senate Bill 1590.

5           **SENATOR MENENDEZ.** So move.

6           **VOICE.** Second.

7           **THE CHAIRMAN.** Moved and seconded. We now have a motion. Is there  
8 further debate on Senate Bill 1590?

9           [No response.]

10          **THE CHAIRMAN.** There being none, all those in favor, signify by saying  
11 aye.

12          [A chorus of ayes.]

13          **THE CHAIRMAN.** Opposed, nay.

14          [No response.]

15          **THE CHAIRMAN.** The ayes have it. Senate Bill 1590 has been approved.

16          We will now move to Senate Bill 1838. This one has been a work in  
17 progress for a long time. The committee has worked really hard on this.

1 Everybody should be -- everybody should be proud of the work that was done  
2 on this bill. It is truly a bipartisan bill on a very difficult, depressing matter.

3 We have before us the -- a manager's amendment, and it incorporates  
4 Merkley 1 and 3 first-degree amendments, and adds language directing the  
5 Administration consider appropriate adjustments to current U.S. export controls  
6 with respect to the supply of crowd control and surveillance equipment to Hong  
7 Kong. Is there a motion to adopt the manager's amendment?

8 **SENATOR CARDIN.** I move to adopt.

9 **SENATOR CRUZ.** Second.

10 **THE CHAIRMAN.** Senator Cardin moved. Senator Cruz second. Is there  
11 debate?

12 **VOICE.** [Off audio.]

13 **THE CHAIRMAN.** Okay. There being no further debate, all -- I am sorry.

14 **SENATOR MENENDEZ.** On the manager's amendment.

15 **THE CHAIRMAN.** Okay. We will go -- we will get to debate after the  
16 manager's amendment.

17 All those in favor of the manager's amendment, please signify by saying  
18 aye.

1 [A chorus of ayes.]

2 **THE CHAIRMAN.** Opposed, nay.

3 [No response.]

4 **THE CHAIRMAN.** The ayes have it, and the manager's amendment has been  
5 adopted.

6 Now, we need a motion to adopt Senate Bill 1838, as amended by the  
7 manager's amendment. Is there a motion?

8 **SENATOR CARDIN.** So move.

9 **THE CHAIRMAN.** Senator Cardin has moved.

10 **VOICE:** Second.

11 **SENATOR CARDIN.** Can I be heard for just one 1 minute?

12 **THE CHAIRMAN.** Yes.

13 **SENATOR CARDIN.** First, I really do want to thank Chairman Risch and  
14 Ranking Member Menendez for your patience on this bill and the work that was  
15 done. Senator Rubio and I have worked on this bill with a lot of members of the  
16 committee. It is absolutely essential that we speak out in regards to what is  
17 happening in Hong Kong. We know that the Chinese government has infringed  
18 upon the autonomy after it was anticipated. We have legislation here that

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1 provides certain responsibilities for the continuation of the special status in Hong  
2 Kong.

3 This legislation will complement that, give us the information we need to  
4 make sure that the autonomy of Hong Kong is being respected as well as the  
5 human rights of the people that live in that place. So I just want to thank again  
6 the leadership of this committee. I think it is an important bill for us to pass.

7 **THE CHAIRMAN.** Well said. Further debate? Senator Merkley.

8 **SENATOR MERKLEY.** Thank you, Mr. Chairman. I have an amendment  
9 that I have withdrawn upon conversation with the chairman and his team. But  
10 under -- it essentially says, look, we are not going to allow the export to the  
11 police of Hong Kong or the police auxiliary tear gas, pepper spray, rubber  
12 bullets, water cannons, and bean bag -- bean bag rounds. I think -- thought it  
13 was a very clear and crisp strategy, but export controls get complicated. So I  
14 understand that there is a desire to make sure there are no unintended  
15 consequences, but I do intend to bring this issue back. And, Mr. Chairman, I  
16 understand you share the concern about these items going to the police, and that  
17 we will have a chance to work together on this.

1           **THE CHAIRMAN.** You are correct on that, Senator Merkley. And, first of  
2 all, let me say that a lot of credit should go to the ranking member on this. He  
3 raised this in a -- in some meetings we have had and in committee, and these are  
4 very, very legitimate concerns. As you indicated, they are complicated.

5           On September 10th, Senator Menendez and I with the chairman and  
6 ranking member of the Banking Committee, the other distinguished senator from  
7 Idaho being the ranking -- being the chairman, sent a letter to the Administration  
8 about U.S. policy regarding the export of crowd control equipment to Hong  
9 Kong. We are moving forward on that. There certainly is not, I think,  
10 disagreement. I think we are just in the weeds on the details, but we will work --  
11 we will together.

12           **SENATOR MERKLEY.** Great. Thank you.

13           **THE CHAIRMAN.** I appreciate it.

14           **SENATOR MENENDEZ.** Mr. Chairman, if I may.

15           **THE CHAIRMAN.** Yes, Senator Menendez.

16           **SENATOR MENENDEZ.** First of all, I want to commend Senator Cardin and  
17 Senator Rubio. There was a lot of work that went into this bill to get it to the

1 point that we have the consensus we have today. So I want to commend them on  
2 their legislative skills in doing that.

3 The chairman and I had an opportunity to meet right across the table there  
4 with some of the most dynamic, incredibly inspiring young people who are  
5 leading the effort in Hong Kong, and they spoke about this bill as something they  
6 are critically looking forward to see happen. So I want to commend the chairman  
7 for finally bringing it up here after it has all been worked out. And on this final  
8 issue that Senator Merkley raised, I have raised it. We are working together. I  
9 think the chairman is in common cause with us as it relates to it, and I think -- I  
10 am optimistic that we are going to get there.

11 **THE CHAIRMAN.** Thank you. I associate myself with those remarks.  
12 Those young people are brave, and it was an honor to meet them.

13 **SENATOR GARDNER.** Mr. Chairman?

14 **THE CHAIRMAN.** Senator Gardner.

15 **SENATOR GARDNER.** We have a committee hearing tomorrow to continue  
16 this conversation, for those of you on the subcommittee, at 10:45 tomorrow.

17 **THE CHAIRMAN.** Thank you so much. I appreciate it.

1           **SENATOR MENENDEZ.** Could we highlight for the record that the chairman  
2 associated himself with my remarks?

3           [Laughter.]

4           **THE CHAIRMAN.** This one time. Thank you. Good work to the committee  
5 on this. So do we have a motion pending? Are we at final passage? Have we  
6 had the motion? We have.

7           All those in favor of final passage of this bill, signify by saying aye.

8           [A chorus of ayes.]

9           **THE CHAIRMAN.** Opposed, nay.

10          [No response.]

11          **THE CHAIRMAN.** The ayes have it, and Senate Bill 1838 has passed to the  
12 floor of the Senate.

13          We have lastly Senate Bill 2372, which Senator Menendez described in his  
14 opening statement in way too clear a detail for something right after lunch. But  
15 in any event, those of us -- and we are all concerned about marine debris. This is  
16 appropriate. The parties who worked on this are certainly to be commended for  
17 that.

1           We have a manager's amendment to this bill which clarifies several  
2 portions of the legislation and incorporates elements of the first-degree  
3 amendments that were filed. I will be supporting the manager's amendment. So  
4 is there a motion to adopt the manager's amendment?

5           **SENATOR MENENDEZ.** So move.

6           **SENATOR SHAHEEN.** Mr. Chairman, can I be added as a co-sponsor?

7           **THE CHAIRMAN.** Can we get -- can we get a second on that?

8           **SENATOR GARDNER.** Second.

9           **THE CHAIRMAN.** Okay. Senator Gardner. Senator Shaheen, you wish to  
10 be --

11           **SENATOR SHAHEEN.** Can I be added as a co-sponsor?

12           **THE CHAIRMAN.** You may. You will be added as a co-sponsor. So is  
13 there further debate on Senate Bill -- excuse me -- on the manager's amendment  
14 to Senate Bill 2372?

15           **SENATOR UDALL.** Mr. Chairman?

16           **THE CHAIRMAN.** Senator Udall.

17           **SENATOR UDALL.** Mr. Chairman, I have several amendments to offer, but I  
18 am not going to offer them at this point. I want to very much congratulate

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1 Senator Sullivan and Senator Whitehouse for their work on this piece of  
2 legislation, Save Our Seas. I do not think, though, that the way this legislation  
3 stands, this is going to correct everything. I think we have got a real serious  
4 problem on single-use plastic. I think we need to be more aggressive. We need  
5 to go further. And so I hope that when we bring this bill to the floor, we can do  
6 provisions that then will do that. I am also working on legislation.

7 But I think it is a great piece of legislation on the recycling part, the  
8 government policies, but we need to be -- we are in a plastic crisis. We are  
9 producing too much, and so we need to -- we need to get a reduction in place is  
10 where we are headed in terms of the legislation. So thank you very much.

11 **THE CHAIRMAN.** This is a worldwide problem, and I think we are at the  
12 incipient stages of it. And it is going to take more work, there is absolutely no  
13 question about that. Is there further debate?

14 **SENATOR BARRASSO.** Mr. Chairman, thank you. The similar bill in the  
15 jurisdiction of the Environment and Public Works Committee passed the  
16 committee unanimously this morning, Save Our Seas.

17 **THE CHAIRMAN.** Thanks for that information. Is there further debate on  
18 the manager's amendment to Senate Bill 2372?

1 [No response.]

2 **THE CHAIRMAN.** There being none, all those in favor of the motion to  
3 adopt the manager's amendment, please signify by saying aye.

4 [A chorus of ayes.]

5 **THE CHAIRMAN.** Opposed, nay.

6 [No response.]

7 **THE CHAIRMAN.** The ayes have it.

8 We now have before us Senate Bill 2372, as amended. Is there a motion to  
9 adopt?

10 **SENATOR MENENDEZ.** So move.

11 **THE CHAIRMAN.** It has been moved.

12 **VOICE:** Second.

13 **THE CHAIRMAN.** It has been seconded. Is there debate on the bill itself?

14 [No response.]

15 **THE CHAIRMAN.** There being none, all those in favor, signify by saying  
16 aye.

17 [A chorus of ayes.]

18 **THE CHAIRMAN.** Opposed, nay.

1 [No response.]

2 **THE CHAIRMAN.** The ayes have it, and Senate Bill 2372 has been adopted.

3 That completes the committee's business. I ask unanimous consent that  
4 staff be authorized to make technical and conforming changes.

5 Without objection, it is so ordered.

6 With that, the committee will be adjourned.

**[Whereupon, at 2:07 p.m., the committee was adjourned.]**



**STATEMENT FOR THE RECORD SUBMITTED BY  
RANKING MEMBER BOB MENENDEZ**

**AMIA Jewish Community Center Bombing Resolution**

Twenty-Five years after the attack on the Argentina Israelite Mutual Association (AMIA) Jewish Community Center, one of the deadliest terrorist attacks in Argentina's history, justice has still not been served. The investigation into this heinous attack has been marked by international inaction, political interference, investigative misconduct, and even allegations of cover-ups.

This bipartisan resolution commemorates the lives lost that day while also calling for accountability for those 85 victims. And in positive news on this front, I also want to recognize President Macri's decision on July 18 to designate Hezbollah as a terrorist organization for its role in these attacks.

**TAIPEI Act**

As the Co-Chair of the Senate Taiwan Caucus, I am pleased to support the TAIPEI Act, Mr. Chairman, and I ask Unanimous Consent to be added as a cosponsor.

This week marks the loss of yet two more of Taiwan's diplomatic allies on President Trump's watch. Congress must step in to ensure that the United States is committed to maintaining Taiwan's diplomatic space. This bill allows us to

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offer incentives – or punishments - to countries who are considering altering their relationship with Taiwan.

**S. 183, United States-Japan Alliance Resolution**

I was pleased to introduce, along with the Chairman and Senators Markey, Gardner, Coons and Shaheen, the resolution reaffirming the vital role of the United States-Japan alliance in promoting peace, stability, and prosperity in the Indo-Pacific region. It is a 70-year relationship of common interests and common values fundamental to U.S. engagement in the Indo-Pacific and around the globe.

**S. Res 236, Tunisia-U.S. Partnership Resolution**

I am also pleased to introduce the Tunisia resolution, along with Senator Romney, reaffirming the strong partnership between Tunisia and the United States. As instability mounts around Tunisia’s borders, it is critical that we reaffirm our support and our shared values, interests, and pursuit of long-term stability and security.

**Other Resolutions**

I also support passage of S. Res. 318, a resolution to support the Global Fund to fight AIDS, Tuberculosis and Malaria, and S. 1590, the Rescuing Animals With Rewards Act, and I commend my colleagues, especially the Chairman and Senator Merkley, for their introduction.



**STATEMENT FOR THE RECORD SUBMITTED  
BY SENATOR TOM UDALL**

Mr. Chairman and Ranking Member.

I first want to thank you both and all of the members of the Senate who have joined in this effort to tackle plastic pollution.

We are beyond a tipping point in the plastic waste crisis. And it is high-time that Congress and the administration acknowledge this crisis and take action.

We only need to look around our very own neighborhoods and communities to see that plastic is polluting our rivers and streams . . . parks and public places . . . streets and sidewalks . . . nearly all of our landscapes -- in addition to our oceans and beaches.

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This is not just a coastal or ocean state problem. Plastics are everywhere. And they don't break down.

This is a national and international crisis in every corner of the globe.

Wildlife everywhere are exposed, consuming plastic that is mistaken for food.

And they are not alone—all of us are consuming plastic as well.

Reports show that humans are consuming a credit card's weight worth of plastic each week -- through our drinking water, our air and our food, where plastic particles have broken down to the microscopic level and are entering our bodies.

The U.S. Geological Survey scientists recently published a report titled, "It is raining plastic."

The scientists found that plastics showed up in over 90 percent of the rainwater samples taken at eight different sites, mostly between Denver and Boulder, Colorado—including sites that are 10,000 feet above sea level.

I will vote for this legislation—but I have to say that it is very modest compared to a massive problem and I need to raise a word of caution.

We won't make true progress until we address the root of the problem: we must reduce the amount of plastic we generate in the first place.

Many of us support recycling and are avid recyclers. But this is not a problem we can recycle our way out of. We are far past that option.

And we cannot shift the blame to developing countries, to Asia in particular, pointing the finger that they are responsible for the marine debris.

The truth is we are pumping the planet with plastic. And the United States is a major contributor.

Plastic production has increased exponentially -- from 2.3 million tons in 1950 to 448 million tons in 2015. Production is expected to double that by 2050.

Half of all plastics ever manufactured has been manufactured in the last 15 years.

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Every year, about 8 million tons of plastic waste escapes into the oceans from coastal nations.

According to U.S. Census Bureau data for 2018, 78 percent of U.S. plastic waste exports was sent to countries with poor waste management practices.

That's about 157,000 large shipping containers -- about 429 per day -- of U.S. plastic waste sent to countries already overwhelmed with plastic waste that are major sources of plastic pollution to the ocean.

For too long, we have kidded ourselves that what we put in our blue bins is getting recycled.

For too long, those items were buried in landfills or incinerated -- because plastic recycling in the United States is just not economic.

For too long, we have shipped our plastic waste overseas -- where the infrastructure to recycle the waste doesn't exist either.

And the plastic has piled up . . . and found its way into our environment, our wildlife, and our own bodies.

As the plastic companies have made profits, plastic pollution has created a financial crisis for our states and local governments that are burdened with the ballooning and overwhelming costs of handling plastic waste.

The true costs of plastic production are being off-loaded -- principally to local government and the taxpayers. To us.

Producers are making private profits, and creating socialized costs.

And we are missing out on opportunities for commercial innovation in developing sustainable and biodegradable packaging.

States and local governments are aggressively trying to reduce the source of the waste.

We need to match that at the Federal level.

I am currently preparing legislation that will meet this challenge.

I am working with other members of Congress, including Senator Merkley and Representative Lowenthal, to focus on cutting waste at the front end and to put the onus of responsibility where it belongs: on the producers.

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So, while I'll vote this bill out of committee, I urge us to improve it and the other components of Save Our Seas on the floor -- by tackling the problem head on to reduce plastic pollution in the first instance.