

U.S. SENATE COMMITTEE ON FOREIGN RELATIONS

**Business Meeting**

*Wednesday, October 25, 2023*

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

The committee met, pursuant to notice, at 10:08 a.m., in Room S-116, Hon.

Benjamin L. Cardin, chairman of the committee, presiding.

Present: Senators Cardin [presiding], Menendez, Shaheen, Coons, Merkley, Booker, Schatz, Van Hollen, Duckworth, Risch, Ricketts, Young, and Barrasso.

**OPENING STATEMENT OF HON. BENJAMIN L. CARDIN,  
U.S. SENATOR FROM MARYLAND**

**The Chairman:** The Senate Foreign Relations Committee will come to order.

Colleagues, I want to start with some very, very sad news. I have been informed our beloved Hearings Manager Bertie Bowman passed away this morning. He joined the Committee in 1964 and served under 16 chairmen of this Committee.

He really represents the best of our Senate family here on the Senate Foreign Relations Committee. I ask that we all hold Bertie's children and family in your prayers, and we will make the proper acknowledgments.

**Senator Risch:** Mr. Chairman, let me join in also and express my condolences. Bertie was one of a kind. I have never met anybody like him here. He served longer than anybody who has been around here and the way he got into it is an interesting story that someday people ought to hear.

He pursued this job and stayed at it for a long, long time. So thank you for those kind remarks, Mr. Chairman.

**The Chairman:** Today we are going to be considering six nominations and two FSO lists. I want to thank Senator Risch for his cooperation. This has been on a very

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fast track and, Senator Risch, thank you for allowing us to accommodate an early consideration of these nominations and the FSO lists.

Let me start first with the nomination of Secretary Jacob Lew to be Ambassador to Israel. Three members of this Committee and 10 members of the United States Senate got back yesterday from a trip to the Middle East.

We visited Israel. It was bipartisan, as it should be, and what we saw, what President Biden saw, and what Secretaries Blinken and Austin saw during their visit was sheer depravity.

What Hamas did in Israel is something we never thought we would ever see in our lifetime. Seeing the videos and the photos, meeting with the families of the hostages -- we saw things that remind us of the darkest chapters of the history of civilization.

So it was right for us to be unified, to make it clear to Israel that we stand with them, and we made that clear. We will be considering a supplemental appropriations I believe as early as next week before the United States Senate.

That includes \$14 billion of aid to Israel., This Committee will be engaged in that discussion and debate to make sure Israel has what it needs to defend against air assaults, and to provide the type of assistance they need going forward, and also replenishing the U.S. supplies that they we have given to Israel.

We met with the families of the hostages and we are doing everything -- we are going to continue our effort to get more hostages released.

We want them all released. We have a strategy working with countries who we think can help us in that regard, relying on shared United States and Israeli intelligence, and the best strategies to get them home safely.

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We are very much interested in preventing the expansion of this war. We thank President Biden for his clear message to Iran with the presence of U.S. aircraft in that region.

We know that there is the risk factor of Iran's proxies in Lebanon with Hezbollah and Syria, in Yemen with the Houthis, and we have made it clear that any expansion of this conflict would be the wrong thing to do, and we will continue to make that clear. We are working very much on the humanitarian areas in order to make sure that those who are trying to escape violence have an opportunity for a safe zone and the humanitarian assistance that is needed.

And, quite frankly, we also talked about the need for Israel to have a confirmed Ambassador. We need someone who is a confirmed Ambassador to deal with the selfless workers that we have in our mission, both American citizens and foreign nationals, that are working on behalf of our mission in Israel.

We need someone to speak with the authority of a confirmed Senate Ambassador as we deal with the pieces regarding Israel's safety.

We need the gravitas of a confirmed Ambassador that can speak with authority on behalf of the United States. We need a confirmed Ambassador to deal with the 600,000 American citizens that are in Israel today that are going to need that help from our mission.

So a confirmed Ambassador is absolutely essential. Secretary Lew is eminently qualified to serve in this post. He has extensive experience, political acumen, and gravitas which will be an asset as he takes on the challenges of this role.

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The Senate has previously confirmed Secretary Lew for a number of positions -- always by voice vote, and once as Treasury Secretary by an overwhelming bipartisan vote. We must be able to overcome partisan disagreements.

So I urge my colleagues to do just that. Given the stakes in Israel, we cannot afford any delay.

Today we will also be considering Ambassador Mustafa Garg to be Ambassador to Egypt. We share long-standing strategic interests with Egypt including in the context of the current war between Israel and Hamas.

Egypt's role is important in helping to deescalate tensions between the Israelis and Palestinians, and assisting innocent people in Gaza to find safety and receive humanitarian care.

We need a confirmed Ambassador in Egypt and Ambassador Mustafa Garg understands the intricacies of the United States-Egypt bilateral relations and the importance to our national security interests.

At the same time, she will not shy away from raising human rights violations with the Egyptian government. So I hope that we will be able to confirm her.

Next, we are considering the nominations of two important posts in Africa, Richard Riley to be Ambassador to Somalia and Mark Toner to be as Ambassador to Liberia.

There is a lot at stake in both of these countries. From security concerns to the challenges we have in West Africa today, I hope we will confirm these two Ambassadors.

And we have two additional posts, Paul Martin to be the Inspector General of the United States Agency for International Development and David White to be the Deputy

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Director of the Peace Corps. They are both well qualified and I support both of these nominees, and we also have two of the FSO lists.

With that, let me turn to Senator Risch.

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

**Senator Risch:** Thank you, Mr. Chairman, and I am like everyone fully in tune with the remarks you have made about things happening in Israel and what we need to do about it. That is one of the reasons why we have moved this along as quickly as we can.

I have deep reservations, as you know, about this appointment but, nonetheless, I think it is important that one way or another we move forward.

And I understand the rush to get an Ambassador in Jerusalem. We are at an important moment in history with events going on in Israel and this makes the stakes ever so much higher, and I believe that means we should take the time to get it right.

This appointment -- this job requires a deep level of humility and candor to navigate, and demands working closely with Congress in an open and transparent way to ensure the right support for Israel.

That is where I am having difficulty with Mr. Lew. I have always felt when I went to Israel and met with the Prime Minister and others, I was always briefed very well by the people who were there.

When I was there earlier this year the chargé met with me, in fact, accompanied me to meet with the Prime Minister. I felt good about him.

I am having real difficulty with Mr. Lew because of his demonstrated -- the kindest way to put it would be negligent handling of the truth when dealing with this actual Committee.

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We heard in the hearing, and it came out, and I put in the record the bipartisan report concerning Mr. Lew's conduct in dealing directly with Israel and dealing directly with Iran.

Iran is the problem here. Iran is the issue here, and there is no question that Republicans and Democrats have a different view of how Iran should be handled. Indeed, as we have gone forward, we have gone around and around starting with the JCPOA and going forward from there.

Mr. Lew's dealings when it came to the JCPOA are incredibly troubling. He sat before the Committee and he said he would not allow the Iranians to have access to the U.S. financial system and we all know that he did just the opposite.

The bipartisan report documents that. In his defense, of course, he was saying that, well, all he was doing is carrying out what Obama told him to do. To me, that is no excuse.

This Committee needs and deserves to have accurate, correct information. Mr. Lew was dealing under the table with financial institutions attempting to get Iran into the U.S. financial system. There has got to be somebody else for this that we can trust more.

And by the way, I have talked with the Israelis. This is not lost on them -- the view that the Obama Administration had and the dealings that Mr. Lew had. I think he is going to have some difficulties in that regard.

As a result of that I am going to vote today to support Israel. I am going to vote no on Mr. Lew's nomination to this post. I think it should be someone that the Israelis will have trust in and, just as importantly, that this Committee can have trust in. I do not have the trust for Mr. Lew at this time.

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As far as the other nominees that are on the agenda today -- Somalia, Liberia, Egypt, and the Peace Corps -- I support their nominations. I am going to vote for them. They are important nominations, and we definitely need people in these places.

Thank you, Mr. Chairman.

**The Chairman:** Thank you, Senator Risch.

During the hearing, I expressed certain views that I just want to put on the record again, and I respect greatly Senator Risch's views in regard to this nominee.

I was the Ranking Member of this Committee during the consideration of the Iran nuclear agreement working with Senator Corker, and as I think members of this committee know I made a judgment at the end of the day not to support the agreement.

But I want to just make it clear that the Obama Administration, on transparency, provided so much information to us, including the Secretary of the Treasury and the Secretary of Energy, in numerous briefings. There were no surprises whatsoever and our input was very much felt.

So my knowledge is that Secretary Lew provided this Committee total transparency and that there were no surprises in the way that the agreement was implemented. I understand we have a difference on that, but I just really want to make the record clear.

I understand we have a reporting quorum that is present and without objection we will now consider the six nominees that were on the agenda as well as the two FSO lists.

**Senator Risch:** If we can have a roll call on Lew.

**The Chairman:** There is a request for a separate roll call on Lew, which will be honored. So before us right now would be the five nominees, not Jacob Lew, as Ambassador to Israel -- without that, and the two FSO lists.

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Is there a motion to approve all of those five nominees and FSO lists en bloc?

**Senator Schatz:** So moved.

**The Chairman:** Is there a second?

**Senator Shaheen:** Second.

**The Chairman:** Moved and seconded. Any debate?

**Senator Risch:** Mr. Chairman, I would ask anybody who wants to be recorded no  
can do so with the Secretary --

**The Chairman:** Without objection that will be noted.

The question is on the motion to approve all the nominations.

All in favor, say aye.

Opposed, nay.

The ayes appear to have it. The ayes do have it. The nominations and two FSO  
lists -- the five nominations and two FSO lists are now -- have been approved by the  
committee and will be reported as such.

**Senator Coons:** Mr. Chairman, at the conclusion of the vote on Jack Lew to be  
nominee for the Ambassador to Israel could I make some brief comments?

**The Chairman:** Oh, sure. Absolutely.

With the majority of members present, the vote in the affirmative -- the yeas --  
have it and the nominations are agreed to.

We now have a request for an individual vote on Jacob Lew to be Ambassador to  
Israel.

Is there a motion to approve the nomination?

**Senator Schatz:** So moved.

**The Chairman:** Is there a second?

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**Senator Coons:** Second.

**The Chairman:** Having been moved and seconded the question is on the approval of the Jacob Lew nomination to be ambassador to Israel.

Is there a request for a roll call vote?

**Senator Risch:** I -- (Aye?)

**The Chairman:** There has been a request for a roll call vote. The clerk will call the roll.

**The Clerk:** Mr. Menendez?

Ms. Shaheen?

**Senator Shaheen:** Aye.

**The Clerk:** Mr. Coons?

**Senator Coons:** Aye.

**The Clerk:** Mr. Murphy?

**The Chairman:** Aye by proxy.

**The Clerk:** Mr. Kaine?

**The Chairman:** Aye by proxy.

**The Clerk:** Mr. Merkley?

**Senator Merkley:** Aye.

**The Clerk:** Mr. Booker?

**Senator Booker:** Aye.

**The Clerk:** Mr. Schatz?

**Senator Schatz:** Aye.

**The Clerk:** Mr. Van Hollen?

**Senator Van Hollen:** Aye.

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**The Clerk:** Ms. Duckworth?

**The Chairman:** Aye by proxy.

**The Clerk:** Mr. Risch?

**Senator Risch:** No.

**The Clerk:** Mr. Rubio?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Romney?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Ricketts?

**Senator Ricketts:** No.

**The Clerk:** Mr. Paul?

**Senator Risch:** Aye by proxy.

**The Clerk:** Mr. Young?

**Senator Young:** No.

**The Clerk:** Mr. Barrasso?

**Senator Barrasso:** No.

**The Clerk:** Mr. Cruz?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Hagerty?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Scott?

**Senator Risch:** No by proxy.

**The Clerk:** Mr. Chairman?

**The Chairman:** Aye. How is Senator Duckworth recorded?

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**The Clerk:** I will record her as present.

**The Chairman:** Thank you.

**Senator Duckworth:** Thank you.

**The Chairman:** The --

**The Clerk:** Mr. Chairman, the ayes are 11 and the noes are nine.

**The Chairman:** The nomination is favorably reported to the floor.

Senator Coons?

**Senator Coons:** Mr. Chairman, I want to thank you --

**The Chairman:** Just for the members, there will be no more -- are there any more votes that we need? The voting session we will not need further votes.

Senator Menendez, did you want to be reported on the -- we just took the roll call.

So do you --

**Senator Menendez:** On who?

**The Chairman:** On Lew --

**Senator Menendez:** Yes, I want to be reported as aye.

**The Chairman:** Without objection. It does not change the outcome, but Senator Menendez will be reported as aye without objection.

Will the clerk report the total on the Lew nomination?

**The Clerk:** Yes. Mr. Chairman, the ayes are 12 and the noes are nine.

**The Chairman:** Thank you. Senator Coons?

**Senator Coons:** Thank you, Mr. Chairman. I want to thank you and the Ranking Member for moving so quickly to consider these crucial nominations.

On the very specific matter of the report of the Permanent Subcommittee for Investigations I just -- my senior senator Tom Carper was the Ranking Member on that

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Subcommittee and had urged me to convey that he did not concur in the conclusions of the report, that it was not a bipartisan conclusion.

And for those who were troubled by the allegations around Mr. Lew I had previously urged them to talk to Senator Portman who also had an active role in that.

I just wanted to leave that for the record to more accurately reflect what was a very contentious issue and what has been at the heart of some voting for or against the nominee.

I know Jack Lew well. I view him as someone who will serve us well and honorably. Thank you, Mr. Chairman.

**Senator Risch:** Mr. Chairman?

**The Chairman:** Senator Risch?

**Senator Risch:** Let me say I have also talked to Rob Portman. He is a friend of all of ours. He was involved in that report, and he does not shy away from the findings of the report which found that Mr. Lew went behind the backs of Congress attempting to get Iran into the financial system.

So, look, this is behind us now. We got the nominee moving forward. We are going to have to work with him and that is where we ought to go (maybe, that is what we ought to do?). But having had that, I am going to have one eye closely focused on that.

**The Chairman:** Senator Schatz?

**Senator Schatz:** Just very briefly.

I just -- I think everyone is entitled to vote their conscience on politics and on preferences. That is fine. But this was not a bipartisan report and I think there are a lot -- you have lots of arguments at your disposal against Jack Lew.

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I do not agree with them. But there was not a bipartisan report. It was a partisan report and I just think that, moving forward, if you want to do whatever you want to do as we move into the floor process and as you want to criticize him as Ambassador, fine.

But that report was not signed by our colleague and therefore it was not bipartisan. I think it is worth moving on with that factual basis.

**Senator Risch:** Mr. Chairman?

**The Chairman:** Senator Risch?

**Senator Risch:** First of all, I accept that. But is there anybody here that says that the conclusion in that report, that Jack Lew called banks to pressure them to allow Iran to engage in the financial system of the United States -- I have not found one person who says that that is not true.

Now, that happened and it was exactly the opposite of what he told us -- there was all kinds of evidence to that effect. That was a finding of that report.

Let us put this behind us and move on. But I am telling you, to try to denigrate that report is just wrong. The facts in the report are correct.

**The Chairman:** I agree with Senator Risch. Let us move on. I do point out that Secretary Lew was sanctioned by Iran. He was criticized because he did not allow the banking system to be made available to Iran other than to carry out the obligations under the JCPOA -- under the Iran nuclear agreement.

And we can argue the nuance there and I respect Senator Risch's view. But that is our -- my recollection of what happened. It was to carry out the agreement not to allow access to the international banking system.

Any further discussions?

[No response.]

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**The Chairman:** I want to just conclude by thanking Senator Risch. This nomination was received by us maybe two weeks ago. We processed questions for the record in a record period of time. Any member of this committee could have held over this nomination and they chose not to do it.

So I just really want to thank the cooperation of the membership in the recognition of the urgency for the consideration of the nomination.

It could not have happened without the cooperation of every member of this committee, and I thank you very much for that cooperation.

And with that, the Committee stands adjourned.

**[Whereupon, at 10:28 a.m., the meeting was adjourned.]**