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# **Business Meeting**

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*Tuesday, March 27, 2012*

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U.S. SENATE COMMITTEE ON FOREIGN RELATIONS

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*Tuesday, March 27, 2012*

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

1 The committee met, pursuant to notice, at 2:30 p.m. in Room S-116, The Capitol,

2 Hon. John Kerry, chairman of the committee, presiding.

3 Present: Senators Kerry, Menendez, Cardin, Casey, Shaheen, Coons, Durbin,  
4 Udall, Lugar, Corker, Risch, Rubio, and Isakson.

5 THE CHAIRMAN. The business meeting will come to order. Thank you all for  
6 taking time to come down quickly. This really shouldn't take too long.

7 Let me begin by saying that, first of all, I want to call the committee's attention to  
8 the fact that one of our longest serving staffers, who has been the majority's resident  
9 expert on East Asia, is going to be leaving us to go to Amnesty International. And  
10 while what he is leaving for is obviously a terrific enterprise, I'm personally, and I think  
11 the committee is, going to miss his expertise an enormous amount.

12 I've traveled to India, South Asia, other places with him, China, and not enough  
13 countries, frankly. But he has really been a superb contributor to the expertise of the

1 committee, and we're going to miss him enormously. I would everybody just to express  
2 our gratitude to Frank, who is standing over here.

3 [Applause.]

4 THE CHAIRMAN. And he will still be available to us, so we don't lose him  
5 completely.

6 Senator Cardin?

7 SENATOR CARDIN. Yes, in a similar vein, a person who has staffed me on this  
8 committee for the last several years, Rori Kramer, will be leaving and actually working  
9 for the other side. By that, I mean she will be working for the executive.

10 [Laughter.]

11 SENATOR CARDIN. So I'm looking forward to questioning her in her new  
12 capacity. But I want to thank Rori for all of her hard work in helping this committee.

13 [Applause.]

14 THE CHAIRMAN. Thank you.

15 Now, we have an agenda today that is pretty full, but I don't think controversial.  
16 There are six legislative items, 16 nominations, and three Foreign Service lists.

17 Can we get everybody together here?

1 I want to take a minute, though, to share a thought, if I can, with the committee  
2 on the subject of Syria.

3 Senator Corker and I had a good discussion yesterday on the floor of the Senate,  
4 and there's a lot of concern, needless to say, within the committee and obviously within  
5 the Senate on the subject of what is happening in Syria.

6 A weekend ago I was in Qatar, and I met with the Amir and the Prime Minister,  
7 Hamad bin Jassim, and have subsequently talked to Foreign Minister Davutglu of  
8 Turkey and to Foreign Minister Nasser Judeh of Jordan.

9 There's a lot of discussion going on in the region led by the Arab communities,  
10 mostly the Saudis, Emiratis, and the Qataris, but together with the Turks and  
11 Jordanians, about how to proceed. There is a desire to do something, to find a way to  
12 have an impact.

13 I met with the Secretary of State and talked to the White House. Everybody is  
14 trying to find sort of what is the most sensible path forward.

15 I will be scheduling a classified briefing for this committee for the very first day  
16 when we get back after the Easter break. I strongly urge every member to come to that.

1 I had one last week, a one-on-one with them. It is compelling. It is important for  
2 everybody to understand all the dynamics as we think about policy. And it's important  
3 that we do.

4 Then we will have a hearing, a public hearing. Depending, obviously, on sort of  
5 where we are, the most important thing is that Secretary Clinton will be meeting on the  
6 First of April next week with the friends, the core group. And they will be trying to pull  
7 themselves together to figure out what the road forward is.

8 So I think we will be in a position as a committee to contribute significantly to  
9 that dialogue and to make much more thoughtful judgment than we would by getting  
10 into a debate at this point in time, where there is a certain amount of uncertainty.

11 So I appreciate Senator Corker's collaboration on that and his willingness to sort  
12 of try to find a way for us to think it through thoughtfully.

13 I don't know if you want to say anything on that? You don't need to.

14 SENATOR CORKER. No, I appreciate that. Senator Webb joined me also.

15 I think there have been a lot of statements, and yet, I think what you found  
16 compelling about the intelligence briefing that you had is that things aren't quite like  
17 they might seem, and that knowledge would be helpful to us.

1 I mean, some people are rushing to judgment as it relates to arming rebels and  
2 no-fly zones. And that concerns me, and I'm glad that you're going to allow us to have  
3 these briefings and take the time to fully understand what is happening on the ground.

4 THE CHAIRMAN. I appreciate that.

5 I also want to say, we have a hearing on Iran tomorrow. And we will continue  
6 with hearings on the region and on the subject of Iran when we get back. And I want  
7 them to be as constructive as possible, obviously. I think it's critical that we look  
8 carefully again at that region and what the options are.

9 SENATOR LUGAR. What time will the briefing be? Do you any idea, Mr.  
10 Chairman, on Monday?

11 THE CHAIRMAN. Senator, obviously, I want to make sure that we work with your  
12 schedule. Will it be better for you if we do it Tuesday?

13 SENATOR LUGAR. Not necessarily. I just was curious what you had in mind.

14 THE CHAIRMAN. Well, it would be a morning briefing. Whatever day we do it, it  
15 will be a morning briefing. I don't think we're going to vote until 5:30 in the afternoon  
16 on the Monday we get back. So I assume we make it Tuesday morning, if that meets  
17 everybody's approval. So we'll go for Tuesday morning.

1           So I'm not aware of any requests for a roll call on the matters that we have before  
2 the committee this morning, but let me just begin with the legislative items.

3           There are resolutions on Tibet, Sudan, and Nicaragua. There's a resolution  
4 introduced by Senator Shaheen concerning the upcoming NATO summit, a resolution  
5 regarding the Iranian Government's persecution of the Baha'i minority, and a resolution  
6 condemning the Syrian Government's violence against journalists.

7           With this exception of the Baha'i resolution, there are amendments to each of the  
8 resolutions on the agenda, and they were circulated to all members last week.

9           I personally support the resolutions. I want to just say a quick word about Tibet  
10 and Sudan.

11           SENATOR LUGAR. Mr. Chairman, on the Iran resolution, Senator Kirk has given  
12 me a statement to be included in the record.

13           THE CHAIRMAN. Without objection, we're delighted to have him included.

**[The prepared statement of Senator Kirk follows:]**

**[COMMITTEE INSERT]**

14           THE CHAIRMAN. And obviously, we're anxious for his return to the Senate, and  
15 wish him well.

16           SENATOR LUGAR. Thank you, Senator.

1 THE CHAIRMAN. I don't know how many of you saw the newspaper today.  
2 There is just that iconic, depressing, and graphic picture of an individual self-  
3 immolating, running through the street, a reminder that there are quite a few  
4 immolations taking place each week, most of them not known or seen by people.

5 There is mounting evidence of serious trouble in the Tibetan regions of China.  
6 More than 20 Tibetans, including many monks, have set themselves on fire. And these  
7 tragic suicides speak volumes to the despair and frustration that is being felt in the face  
8 of repressive Chinese policies.

9 The sad thing is, again and again, the Dalai Lama, when he has visited with us  
10 here and in any private conversation, emphasizes that they are not looking for  
11 independence, that they are trying to protect their culture and their history. And sadly,  
12 China's response makes things worse, not better.

13 So I would urge, as we will in this resolution, the Chinese Government to  
14 respond to the signs of despair in Tibet by listening to the Tibetan people and respecting  
15 the universal rights of its citizens.

16 And the resolution takes note of the election of Dr. Lobsang Sangay, who we met  
17 with here. He came with the Dalai Lama last time, and the Dalai Lama talked about the  
18 transfer of political power to this younger generation. And he is now the Prime



1 Minister of the Tibetan exile community. And Dr. Sangay is one of those to whom this  
2 power will now be transferred.

3 So I think the whole committee will join in urging Beijing to resume the  
4 substantive dialogue with the Tibetans in an effort to promote mutual understanding  
5 and reconciliation.

6 On Sudan, I want to thank Senator Coons for his leadership in introducing a  
7 bipartisan resolution in the wake of the hearing that we had earlier this month. I  
8 thought it was an excellent hearing, incidentally. And I thought the witnesses did a  
9 very good job describing what is happening there.

10 In the conversations that I had in Qatar, the Qataris, as you know, have been  
11 very involved and helpful in terms of interlocuting with Bashir and the north, with the  
12 Sudanese now. And the crisis, regrettably, in Southern Kordofan and Blue Nile is  
13 growing, and the two governments have yet to resolve many of the critical issues in the  
14 comprehensive peace agreement.

15 The Qataris have agreed to continue to try to pass messages and urge some  
16 resolution of this. But this morning's news brought disturbing reports of dangerous  
17 border clashes. And, simultaneously, President Bashir has announced that he has

1 delayed a trip to the South, which we all were looking forward to as a potential  
2 breakthrough.

3 So there have been a lot of tense moments in this process. I think this is another  
4 one of those times. But I do know that our ability to weigh in here does have an impact,  
5 and I think it's important that we make it clear that we are watching carefully. Even  
6 though a resolution feels somewhat less than satisfying, it will have some impact in  
7 helping people sort of create the focus that is necessary.

8 So the resolution before us underscores the urgency and puts the spotlight  
9 underneath for the humanitarian access, et cetera.

10 So I open it up to anybody who wants to say anything about any of this agenda  
11 or the resolution.

12 Senator Shaheen?

13 Well, do you mind? Let me ask the Chair of the subcommittee here first.

14 SENATOR SHAHEEN. No, go ahead.

15 SENATOR COONS. Thank you, Chairman Kerry. Thank you for convening the  
16 hearing. Thank you to Senator Isakson, Senator Durbin, and Senator Wicker for joining  
17 this bipartisan resolution I hope the whole committee will support.

1           It does draw attention to the rapidly deteriorating humanitarian situation in the  
2 border states, the Blue Nile, Southern Kordofan. It does call for the parties to get back  
3 to negotiations as you pointed out.

4           Bashir's decision not to go to Juba for a summit, which many of us had hoped  
5 would be happening this coming week, is just a reminder of how rapidly things are  
6 deteriorating. We think the ongoing conflict between Sudan and SPLM-North, the  
7 ongoing lack of resolution on oil transit fees, are just two indicators of a rapidly  
8 deteriorating situation.

9           So I urge support for this resolution. I think it is one of the ways we can speak  
10 up, we can bring attention. It is also one of the ways that we can support South Sudan,  
11 which is I think facing a significant struggle as it tries to move forward as an  
12 independent state.

13           As with everything, I'm grateful for Senator Isakson's active partnership on this,  
14 and, Mr. Chairman, for your leadership in drawing attention to Sudan and to these very  
15 difficult situations.

16           THE CHAIRMAN. Well, I appreciate both of your leadership, but I know Senator  
17 Isakson is traveling over to Africa on Monday. And I think the whole committee will  
18 look forward to your input when you get back.

1           That is one of the things, incidentally, I think we ought to do a little more, is kind  
2 of pick each other's brains as people come back from breaks and having traveled places.  
3 I think it would be good for the committee to hear firsthand from people. We might  
4 take a moment the next meeting to kind of do that, if we can.

5           Senator, do you want to add anything?

6           SENATOR ISAKSON. The old adage is, seeing is believing. I think Senator Corker  
7 would agree that our trip to the Sudan right after your trip 2 years ago or 3 years ago,  
8 and to Darfur, was just a vivid depiction of what horrible things can happen with man's  
9 inhumanity to man.

10          And I'll be going to Uganda next week in part with CARE but also in part with  
11 our troops and advisers that are on the ground there in the chase for Joseph Kony, and  
12 I'll try to bring back the best firsthand report I can.

13          THE CHAIRMAN. Senator Shaheen, thanks for your patience.

14          SENATOR SHAHEEN. Thank you, Mr. Chairman.

15          I just wanted to point out that the NATO resolution was actually introduced by  
16 Senator Durbin, and I was pleased to join him on that, along with Senator Kirk. And it  
17 really recognizes that NATO is going to be meeting in Chicago, the first time that  
18 NATO will be having their summit on U.S. soil since 1999, so it is a big deal.

1 I was at the NATO headquarters in Brussels over the weekend, and there are a  
2 lot of preparations going on for this summit. People are looking forward to getting  
3 some things done, particularly on Afghanistan. And I think it's important for us as the  
4 Foreign Relations Committee to make a bipartisan statement about our support for the  
5 summit.

6 SENATOR CORKER. Mr. Chairman?

7 THE CHAIRMAN. Yes, Senator Corker?

8 SENATOR CORKER. I, in particular, want to thank you for the last paragraph  
9 focusing on commitments, and thanks for drafting the whole thing.

10 But I do think it is an opportunity for us to also press. I mean, what's happening  
11 with NATO, we've become the protectorate of NATO and most of the countries are  
12 consumers of security services provided by the U.S., and I think we really need to be  
13 pressing the other NATO countries to be putting in 2 percent of their GDP and doing all  
14 the things that they committed to do as part of this, which is not happening right now.

15 So anyway, thank you.

16 THE CHAIRMAN. That's a great comment, Senator Corker. And I think we all  
17 should take note. There's a NATO conference coming up shortly, and we play a proper

1 role in it as host of it, so I think we might think about what we might want to do to feed  
2 into that a little bit.

3 There is also the resolution on Nicaragua. I don't know if anybody wants to  
4 speak up on that? Senator Menendez or anybody? Everybody is good?

5 If so, there are 16 nominations on the agenda, nominees to head the new Conflict  
6 and Stabilization Operations, Energy Resources Bureau. I think Secretary Clinton is to  
7 be commended for embarking on that reorganization.

8 SENATOR DURBIN. Mr. Chairman, I'm remiss in not mentioning one resolution,  
9 sponsored primarily by my colleague Senator Kirk, who can't be with us, obviously.  
10 I'm cosponsoring it and it relates to discrimination of people of the Baha'i faith, which  
11 you mentioned.

12 It turns out that the largest place of worship for the Baha'i religion in the United  
13 States is in Senator Kirk's former congressional district in Illinois, so this is an issue very  
14 important to us when it comes to human rights. And I am sponsoring it on his behalf.

15 THE CHAIRMAN. Great. Thank you very much, Senator Durbin.

16 There are also a number of highly qualified nominees for important posts,  
17 including Libya, Tunisia, Haiti, Georgia, Croatia, and Kosovo, just to name a few of  
18 them.

1           And there's a nominee to be director general of the Foreign Service. I share  
2 Senator Menendez's view that the director general and the department ought to  
3 continue to press the way they have been and are now for the diversity within the  
4 Foreign Service itself. And I think to be effective, needless to say, the Foreign Service  
5 needs to be as diverse as the country it represents. Linda Thomas-Greenfield has  
6 assured the committee that she is committed to making that happen.

7           So I would urge the approval of all the nominations today. Is there any further  
8 debate or discussion with respect to any item on the agenda?

9           [No response.]

10          THE CHAIRMAN. If not, is there a motion to move en bloc?

11          SENATOR LUGAR. I so move.

12          THE CHAIRMAN. Seconded.

13          All those in favor, say aye.

14          [A chorus of ayes.]

15          THE CHAIRMAN. Opposed, nay.

16          [No response.]

17          THE CHAIRMAN. The ayes have it, and the en bloc nominations and resolutions  
18 are approved.

1 Any further business?

2 Senator Lugar?

3 SENATOR LUGAR. Mr. Chairman, a number of our committee members have  
4 urged committee consideration of the Magnitsky Rule of Law Act. I'd like to take this  
5 opportunity to thank especially Senator Cardin for his hard work on the Magnitsky Act.

6 This bill has been pending before the Foreign Relations Committee for nearly a  
7 year, and we held a hearing on the bill last December. My office has worked with  
8 Senator Cardin's staff to develop a revised version of the bill, which I strongly support.

9 Therefore, I would look forward to the opportunity for the committee to consider  
10 the legislation at the next business meeting. And I ask the permission of the chairman  
11 for that consideration.

12 THE CHAIRMAN. Senator Lugar, I would agree with you. I think the issue is more  
13 than ripe. I commend Senator Cardin at the risk of, no pun intended, but his efforts on  
14 the Magnitsky bill have been magnificent. And you've really done a hell of a job.

15 I think the only issue now is I had understood that you were working with the  
16 Administration to kind of get everybody on the same page and that there was a  
17 likelihood that was going to happen

18 Can you just fill us in?



1           SENATOR CARDIN. Mr. Chairman, let me thank Senator Lugar for his help and  
2 support, and a lot of the members of the committee that have been working on this  
3 legislation.

4           I have had several meetings with members of the Senate and the Administration,  
5 and I think we are close to being able to move this legislation in a very consensus way.

6           I think the best opportunity for its enactment will be in conjunction with PNTR  
7 with Russia. And we have been working with the leadership on both sides of the aisle  
8 in both chambers to see how we can do this in the most constructive way.

9           I'm anxious to move this legislation as quickly as possible, because I think it's a  
10 clear signal to not just the people of Russia but to the international community, because  
11 there are a lot of other countries that are looking to United States for leadership.

12           And I think it will be a statement of great importance on human rights issues, so  
13 I hope we can move it as quickly as possible, but I want to do it in a way, Mr. Chairman,  
14 that is constructive to getting it to the President's desk. And I think the best  
15 opportunity will be PNTR, which is not in this committee, so I look forward to the  
16 advice of the chairman as to how we can move this bill in the most constructive manner.

1 THE CHAIRMAN. Well, I appreciate that. As a member of the Finance Committee,  
2 and there are a couple of other members here, we had a hearing just a week or so ago  
3 on the PNTR, and this bill obviously was mentioned, importantly and significantly.

4 I agree with you. I think that is the only way. I think it is the way to move  
5 forward.

6 And, Senator Lugar, your request is entirely appropriate, and I think what I  
7 would like to do is answer it this way, if it is okay with you, I would like to try to put it  
8 on the business meeting for when we return, and we should aim to do it. And there's  
9 nothing like putting it on the agenda to get everybody to finalize whatever thoughts  
10 they have and move with the Administration.

11 If it means there might be a week or so of delay in the effort to do that, but in  
12 good faith, Senator, we will move as rapidly as we can, hopefully the minute we're  
13 back, but certainly shortly thereafter.

14 I also want to check with Senator Baucus and try to get a sense from Senator Reid  
15 about the schedule on the floor for the PNTR and how we proceed.

16 But we will join it altogether, and as I say to you, you've been persistent and  
17 tenacious on it, and the time has come. So we ought to do something on it.

1           SENATOR LUGAR. I would like to add, Mr. Chairman, that one reason for making  
2 this request today and for trying to get it on the agenda is I sense at least in our staffs'  
3 work with the Administration that they have been very tentative and, from time to  
4 time, it seems to me, they have thrown up additional obstacles.

5           And so I simply wanted to indicate that we take this seriously, that this is the  
6 time now for them to come to the table as opposed to pushing it off, because it seems to  
7 me maybe they might become more serious. And perhaps during this interim of couple  
8 weeks or so, we might make some headway.

9           THE CHAIRMAN. Fair enough.

10          Anything else to come before the committee?

11          If not, thanks, everybody, for coming. We stand adjourned.

**[Whereupon, at 2:55 p.m., the meeting was adjourned.]**