

BUSINESS MEETING

Wednesday, September 19, 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, Capitol
2 Building, Hon. John Kerry, chairman of the committee, presiding.

3 **PRESENT.** Senators Kerry [presiding], Boxer, Menendez, Cardin, Casey, Shaheen,
4 Coons, Udall, Lugar, Corker, Risch, Rubio, DeMint, and Isakson.

OPENING STATEMENT OF HON. JOHN KERRY, U.S. SENATOR FROM MASSACHUSETTS

5 **THE CHAIRMAN.** We will come to order. We want to try to move because WE have
6 the ceremony for Aung San Suu Kyi, which I know members want to attend.

7 So thanks to everybody for getting down here.

8 One, two, three, four, five, six, seven, eight. We need two more.

9 So we have nine legislative items, nine nominations, and two Foreign Service
10 officer lists on the agenda today. Let me just begin with the nominations.

11 The nomination of Richard Olson to be Ambassador to Pakistan; Joe Macmanus
12 to be U.S. Representative to the International Atomic Energy Agency; a number of other
13 important posts.

14 And the nomination of our very own Senator Isakson to be the U.S.
15 Representative to the next session of the U.N. General Assembly. And I know that is
16 going to meet with major debate here.

1 [Laughter.]

2 **THE CHAIRMAN.** We have several Foreign Service officer lists. I think we can
3 dispose of those en bloc.

4 Just a quick word about Pakistan. Everybody here is more than sensitive to the
5 imperatives and complications of the relationship with Pakistan, and there are a lot of
6 things there that are vital to our interests right now. It is critical to have an Ambassador
7 there as soon as we can.

8 I think Mr. Olson ought to be that Ambassador. He is currently serving as the
9 Coordinating Director for Development and Economic Affairs at the embassy in
10 Afghanistan. He has previously served as Ambassador to the United Arab Emirates,
11 Deputy U.S. Permanent Representative to NATO, Director of the Office of Iraq Affairs
12 in the Near Eastern Affairs Bureau and I think is highly qualified for it.

13 Does anybody have any comment at all on any of the nominations?

14 [No response.]

15 **THE CHAIRMAN.** If not, can we just take those en bloc and dispose of them? Do we
16 have enough here?

17 **SENATOR LUGAR.** I so move.

18 **THE CHAIRMAN.** All those in favor, say aye.

19 [A chorus of ayes.]

20 **THE CHAIRMAN.** Opposed, nay.

1 [No response.]

2 **THE CHAIRMAN.** The ayes have it, and that bloc is approved.

3 Let me turn to the legislation. There are four items on the agenda that I have
4 introduced, and I just want to say a quick word, really quick about each of them.

5 The Department of State Rewards Program Update and Technical Corrections
6 Act is a bipartisan bill that will give the State Department valuable tools to bring to
7 justice those accused of committing mass atrocities, like the Lord's Resistance Army,
8 Joseph Kony, or who are engaging in transnational crimes, including intellectual
9 property rights piracy, trafficking in persons, arms trafficking, and cyber crime.

10 So Congressman Reuss introduced a companion bill in the House. It has
11 garnered wide support in the House, including Chairman Ros-Lehtinen. It is included
12 in the subsection in the straight authorization bill that the House passed earlier in the
13 year. The text is the same as the text in the House with a few technical corrections, and I
14 hope everybody can support that in a bipartisan way.

15 There is the Quadrennial Diplomacy and Development Review Act of 2012 puts
16 into law a requirement that the State Department conduct reviews. As everybody
17 knows, they conducted their first QDDR. It was very successful.

18 The Pentagon has been doing something like that for decades now, and I think it
19 is a salutary effort within the State Department.

20 Third, the Intercountry Adoption Universal Accreditation Act.

1 And then, finally, S. Con. Res. 50, which is a concurrent resolution expressing the
2 sense of Congress regarding the multi-stakeholder governance model under which the
3 Internet has thrived.

4 So Senator Rubio and I have introduced that. I hope everybody can support it. It
5 puts the Congress on record as clearly as possible that we support efforts by some
6 governments to create international oversight mechanisms for the Internet. And I think
7 it is important for the world to know that both the executive branch and Congress are
8 speaking with one voice on this issue.

9 So I would urge support for all that legislation.

10 **SENATOR BOXER.** Senator? Mr. Chairman?

11 **THE CHAIRMAN.** Yes, Senator Boxer?

12 **SENATOR BOXER.** I just simply wanted to ask unanimous consent to place in the
13 record a statement I wrote about S. Res. 543, expressing the sense of the Senate on
14 international parental child abduction.

15 **THE CHAIRMAN.** Without objection, so ordered.

[THE PREPARED STATEMENT OF SENATOR BOXER FOLLOWS:]

[COMMITTEE INSERT]

16 Chairman Kerry, Senator Lugar – thank you for working with me to
17 include my resolution condemning international parental child abduction on
18 today’s business meeting agenda – and for your leadership on this issue. I also
19 want to thank my colleagues for their support.

1 Every year, hundreds of American children are abducted by a parent across
2 international borders, but many people in our country are unaware of this all-
3 too-common problem.

4 This issue is very personal for me as a mother and as a grandmother.
5 Child abduction rips innocent children from their homes and disrupts their lives.
6 This is devastating for the children and heartbreaking for the left-behind parents.
7 I introduced this resolution to help shine a light on child abduction and to urge
8 immediate and sustained action to address it.

9 Specifically, the resolution condemns the abduction of a child by one
10 parent to another country. It also calls on our nation and the international
11 community to do more to resolve current and future abduction cases.

12 By approving this resolution, we are sending a clear, bipartisan message that the
13 United States Senate stands united in its condemnation of child abduction and its
14 commitment to help end this injustice.

15 I hope my colleagues will vote to unanimously adopt this resolution today.

16 **SENATOR BOXER.** The bottom line here is that I know all of us have these cases
17 where — from time to time where one parent will abduct a child to another country,
18 and it just rips a child out of the home. And it is so dangerous, and it is so
19 heartbreaking. And I just thank both you and Senator Lugar for including this S. Res.
20 543 in this packet.

1 **THE CHAIRMAN.** Well, thank you, Senator Boxer. Delighted to do so, and your
2 statement is obviously included in the record.

3 **SENATOR BOXER.** Thank you.

4 **THE CHAIRMAN.** Can I just mention that Senators DeMint and Corker had a last-
5 minute request to include S. 3551 on the agenda. This is a bill that they have introduced
6 to require a report on Egypt, Libya, Yemen attacks.

7 And I appreciate their doing so and just thought the following. By law — by law
8 already codified, the Secretary of State is required to convene an accountability review
9 board in the case of any serious injury, loss of life, or destruction of property at any U.S.
10 mission abroad.

11 And they look into whether security system procedures at the relevant mission
12 were adequate at the property, the impact of intelligence information availability, other
13 facts and circumstances. This board, by law, must be convened within 60 days after the
14 incident, and the Secretary has to notify this committee that it has been convened, who
15 the members are.

16 I talked to Tom Nides yesterday. They are already moving on it. They — it is a
17 bipartisan, independent group. They have to be representative across the board. It has
18 to be independently appointed. It is publicly accountable to all. And tomorrow, there
19 is a high-level briefing with Secretary Clinton and others for all Senators on this topic.

1 So it occurred to me that before we create new legislation, let us see whether that
2 satisfies this or not. If it doesn't, I am with you. We ought to have accountability. But I
3 don't think we ought to have duplication and sort of a rush to create legislation where it
4 isn't necessary.

5 Senator?

6 **SENATOR DEMINT.** Thank you, Mr. Chairman.

7 And I appreciate your support for this in principle. We are not trying to create
8 duplication, but I would encourage this. And I know you are holding our bill over,
9 which will basically make it irrelevant by the time we would get back.

10 But there are some things and there are some specific requests in the bill that I
11 think just verbally or inviting in your contacts with the investigation that is going on.
12 Because as you know, given the many voices we are now hearing to cut foreign aid, to
13 change our relationships, it is really important to get to the bottom of what role these
14 governments had in this — in defending us and doing their job.

15 And by adding this specific request up front, we can avoid the scenario where we
16 get a report that is incomplete, and then we don't have the information we need to
17 make a decision. So as soon as we can kind of close this debate on really what
18 happened, I think the sooner we can make good policy.

19 So maybe if you just have your folks look through it?

20 **THE CHAIRMAN.** Certainly.

1 **SENATOR DeMINT.** There may be some things that you can just suggest that they
2 include —

3 **THE CHAIRMAN.** I will tell you what I will do. I mean, I already sent a letter to
4 Secretary Nides, a formal letter. I will send you a copy of the letter.

5 But we will sit down with you right after the meeting, if you want, staff-to-staff.
6 Give us the individual pieces you want included. I will write an addendum letter. I am
7 sure Senator Lugar will sign it with me, and we will follow up on it.

8 And if, when we get back, we are not satisfied, we have the option, and I will join
9 with you. I think we are owed the accountability.

10 **SENATOR DeMINT.** There just seemed to be some intelligence implications and other
11 things that aren't necessarily required in current law that I think they could certainly
12 add to their report if we asked them.

13 **THE CHAIRMAN.** Fair enough. Got it.

14 Senator Isakson?

15 **SENATOR ISAKSON.** Mr. Chairman, Senator DeMint made a great comment about
16 the pressures that exist to take some funding action just because of things that have
17 happened. We all know we need to know the facts.

18 And although the board that you are talking about may already be constituted, I
19 would like to ask the chair to consider letting all members of the committee who want
20 to sign onto that letter.

1 **THE CHAIRMAN.** Sure.

2 **SENATOR ISAKSON.** So our membership can say that the Senate has expressed itself
3 to expedite and particularly to address those specific things. I think it would be helpful.

4 **THE CHAIRMAN.** No reason not to. Happy to circulate a letter to the committee and
5 Senator DeMint. That is fine.

6 I am delighted to do that. That is fine. That is a good suggestion.

7 **SENATOR LUGAR.** Mr. Chairman?

8 **THE CHAIRMAN.** Yes, Senator Durbin isn't here. He had a sense of the Senate on the
9 restitution issue, and that is a resolution included in our package. But if he is not here, I
10 will turn to Senator Lugar, who has introduced the Foreign Aid Transparency and
11 Accountability Act.

12 **SENATOR LUGAR.** I would just like, if I may, to put a statement in favor of that act
13 in the record?

14 **THE CHAIRMAN.** Without objection, absolutely included.

[The prepared statement of Senator Lugar follows:]

[COMMITTEE INSERT]

15 Mr. Chairman, I am pleased that today the Committee will act on the
16 Foreign Aid Transparency and Accountability Act of 2012. This legislation would
17 codify important improvements in our aid by requiring monitoring and
18 evaluation in order to measure effectiveness. Next, it would require transparency

1 in foreign assistance with its disclosure on a single internet website, thus bringing
2 greater accountability to the American taxpayer, as well as recipients of our aid.

3 The bill establishes Presidential leadership in this realm, as several
4 agencies distribute foreign assistance across the globe. In endorsing my bill,
5 earlier this week, the Modernizing Foreign Assistance Network wrote to you, Mr.
6 Chairman, that “the time has come for the President to issue and oversee a set of
7 common guidelines on the monitoring and evaluation of these programs across
8 all agencies, as well as for this information to be made publicly available.”

9 Secretary Clinton and Administrator Shah have committed to moving
10 forward with increased transparency and accountability in U.S. aid by agreeing
11 that the U.S. would join the International Aid Transparency Initiative and
12 establishing our own Foreign Assistance Dashboard on the internet. However,
13 implementation of these efforts has been slow. Our bill establishes a firm
14 deadline of three years for the publication of U.S. foreign assistance on the
15 internet. The State Department had suggested a much longer timeline for
16 implementation; however, I am confident that State and USAID can effectively
17 implement the requirements within this three year time frame. By codifying these
18 commitments and setting firm timelines for implementation, I am hopeful that
19 the U.S. may more fully lead in achieving the objective of aid transparency and
20 effectiveness.

21 I appreciate the work of Senator Rubio in developing today’s amendment
22 to the bill which I believe has strengthened the legislation. Additionally, I

1 appreciate the Chairman's interest in this bill and his concerns about the
2 spending offset provision. It is my belief, however, that it is necessary to offset
3 any potential new spending this bill would generate in order to give the bill a
4 chance to pass. The offset is the same as that in the House companion bill, and I
5 believe the State Department can implement the bill effectively within these
6 parameters.

7 I am optimistic that transparency and accountability of U.S. taxpayer
8 dollars in foreign assistance is a bipartisan issue and that this legislation will
9 therefore receive strong bipartisan support in our Committee today.

10 **THE CHAIRMAN.** Senator Coons?

11 **SENATOR COONS.** Could I just briefly speak to S. 2215? I am a cosponsor with
12 Senator Durbin.

13 We discussed this. We have had a hearing on the subcommittee. This is to
14 promote U.S. exports to Africa and to encourage a sort of whole of government
15 approach in the administration. It has been revised in consultation with the relevant
16 executive agencies.

17 I think increasing trade with Africa 200 percent in the next decade is an
18 admirable goal. It is an important bill, and I just urge folks' consideration to support it.

19 And I also would be grateful if I could join as a cosponsor on the QDDR.

20 **THE CHAIRMAN.** Without objection, you are a cosponsor.

21 Is there any further comment on any of the legislative agenda?

1 **SENATOR SHAHEEN.** Mr. Chairman?

2 **THE CHAIRMAN.** Yes, Senator Shaheen?

3 **SENATOR SHAHEEN.** Senator Inhofe isn't here, but I just wanted to point out that the
4 resolution S. Res. 466 that calls for the release from prison of former Prime Minister
5 Tymoshenko from the Ukraine is part of this package.

6 I held a hearing on the Ukraine back in February, and I wanted to point out and
7 introduce the former prime minister's daughter, who is here, Yevhenia Tymoshenko.

8 **THE CHAIRMAN.** Well, thank you for being with us.

9 **SENATOR SHAHEEN.** She has been advocating on behalf of the release of her mother
10 and doing a great job, and she testified at our hearing.

11 So, thank you.

12 **THE CHAIRMAN.** Thank you very much for joining us.

13 And thanks for calling attention to that. We really appreciate it.

14 Senator Casey?

15 **SENATOR CASEY.** I would just ask consent to be added as a cosponsor on that same
16 resolution, S. Res. 466, the Tymoshenko resolution.

17 **THE CHAIRMAN.** Without objection, so ordered.

18 Is there any further comment at all?

19 [No response.]

1 **THE CHAIRMAN.** All right, if not, before we take a vote, I just want to thank
2 everybody for their cooperation.

3 We will not reconvene in the committee, as the Senator mentioned, until after the
4 election, at which point, we will have, obviously, a very full lame duck session in one
5 form or another. And we will take up these issues that are hanging out there and some
6 others, obviously, that are important to the committee.

7 If there is no further comment, then we will take a vote en bloc on the full
8 legislative agenda as articulated. Is that seconded?

9 **SENATOR BOXER.** Yes.

10 **THE CHAIRMAN.** All those in favor, say aye.

11 [A chorus of ayes.]

12 **THE CHAIRMAN.** Opposed, nay.

13 [No response.]

14 **THE CHAIRMAN.** The ayes have it, and the agenda is approved.

15 And I thank everybody very, very much.

16 We are going to try and have the votes — we are going to try to have the votes.

17 Oh, the Foreign Service list vote. I apologize. We have got some people that need to be
18 approved and promoted.

19 The Foreign Service list is in front of everybody. Does anybody need any —

20 **SENATOR LUGAR.** I move the list.

1 **THE CHAIRMAN.** The list is moved.

2 Seconded?

3 **SENATOR BOXER.** Second.

4 **THE CHAIRMAN.** All those in favor, say aye.

5 [A chorus of ayes.]

6 **THE CHAIRMAN.** Opposed, nay.

7 [No response.]

8 **THE CHAIRMAN.** The Foreign Service list is approved, and the business of the
9 committee is completed.

10 Thank you, everybody. We stand adjourned.

[Whereupon, at 2:45 p.m., the hearing was adjourned.]