
Monday, April 23, 2018

BUSINESS MEETING

U.S. SENATE
COMMITTEE ON FOREIGN RELATIONS
115TH CONGRESS, SECOND SESSION

BUSINESS MEETING

Monday, April 23, 2018

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

1 The committee met, pursuant to notice, at 5:10 p.m., in Room SD-419, Dirksen
2 Senate Office Building, Hon. Bob Corker, chairman of the committee, presiding.

3 Present: Senators Corker [presiding], Risch, Rubio, Johnson, Flake, Gardner,
4 Young, Barrasso, Portman, Paul, Menendez, Cardin, Shaheen, Coons, Udall, Murphy,
5 Kaine, Markey, Merkley, and Booker.

OPENING STATEMENT OF HON. BOB CORKER, U.S. SENATOR FROM TENNESSEE

6 **THE CHAIRMAN.** The Foreign Relations Committee will come to order. We pride
7 ourselves on starting meetings exactly on time. We have had a few entrepreneurial
8 things happen over the last few minutes, and, therefore, we were discussing a way
9 forward for this.

10 So, the committee will come to order. Today we are going to discuss the
11 nomination of Mike Pompeo to be the next Secretary of State. We are also going to
12 consider two other nominations and five Foreign Service officer lists.

13 I am going to make some comments about our nominee and ask Senator
14 Menendez to do the same. And then I would ask other members who wish to speak to
15 the nomination to do so when the actual -- when the actual vote takes place. I know

1 that everyone has -- most everyone has sent out a statement. Hopefully not everyone
2 will need to speak, but I certainly want to accommodate people who wish to do so.

3 Before speaking in support of our Secretary of State nominee, I want to talk a
4 little bit about our committee very briefly. This committee was established in 1816 as
5 one of the original standing committees of the Senate. We hold jurisdiction over
6 legislation concerning the conduct of U.S. foreign policy, including foreign assistance,
7 treaties, declarations of war, among other matters. We are also responsible for the
8 oversight of the State Department, and we review executive branch nominations that
9 carry out U.S. policy, including the Secretary of State.

10 And as we know, this committee has been an island in a sea of partisanship. We
11 have continued to conduct our business in a very bipartisan way always -- always --
12 beginning with Republicans and Democrats working together to come to a good end.

13 I want to give a little history on nomination votes. John Kerry was confirmed by
14 a vote of 94 to 3 on the Senate floor. This committee favorably reported his nomination
15 unanimously. Hillary Clinton was confirmed by a vote of 94 to 2 on the Senate floor.
16 We voted her out 16 to 1. Condoleezza Rice was confirmed by a vote of 85 to 13 on the
17 Senate floor. This committee favorably reported her nomination 16 to 2. Both this
18 committee and the full Senate unanimously voted in favor of Colin Powell's
19 nomination.

1 Now, to our nominee and to his qualifications. He graduated first in his class at
2 West Point. First in his class. He served our nation in uniform as a cavalry officer
3 patrolling the Iron Curtain before the fall of the Berlin Wall. And as he testified in this
4 committee, it was there he learned the power of diplomacy and the effect that we can
5 have on the world through appropriate diplomacy.

6 I think all of us know those men and women who have worn the uniform, the
7 people that we hold on the highest pedestal, we know that they more than anyone
8 respect diplomacy because they know if it is successful, it is the thing that keeps our
9 men and women out of harm's way. Mike Pompeo knows that, he stated that clearly
10 with conviction, and I think we all know that.

11 He graduated from Harvard Law School having been an editor of *The Harvard*
12 *Law Review*. That was after serving in the military. He founded his own company,
13 serving as CEO for more than a decade, and later served as president of a second
14 company. He was elected four times to the House of Representatives where he served
15 the people of Kansas and the 4th District.

16 Let me say this. I know that some things have been said about comments made
17 during his service and on campaigns. I would imagine that all of us have said some
18 things in hot moments. I have to believe absolutely that Secretary Clinton, when she
19 ran for President, Secretary Kerry, when he ran for President, had to have said some

1 things that maybe would have met the objection of people on the other side of the aisle,
2 but they were confirmed overwhelmingly.

3 For the last 15 months, he served our nation as director of the Central Intelligence
4 Agency. There is probably no one in the United States that knows more about what is
5 happening around the world today than Mike Pompeo. He has developed a culture
6 there. He meets with the employees there. We know the State Department has
7 tremendous issues right now with culture. We know that, and we know he has built
8 the kind of culture at the CIA where the employees at the State Department are anxious
9 to have him there. They know what he has done at the CIA. Many people on both
10 sides of the aisle have lavished praise on him for what he has done there. He knows
11 how to develop the kind of culture at the State Department to leverage -- to leverage.

12 I have to say one other thing. The last two Secretaries of State were my friends. I
13 am talking about in the previous Administration. Actually, the last three Secretaries of
14 State have been my friends. One of the things that they have lacked, I think it is widely
15 acknowledged, is they did not really have a good relationship with the President. Each
16 of them made sure that we knew that they felt differently about what was happening
17 than what was happening. So, this will be the first time in four nominees that we
18 actually have a nominee that has a relationship with the President where the President
19 listens to what they have to say.

1 So, with that, I just want to say I cannot imagine, and I maybe I overstated that
2 last point. Let me just put it this way. He has a very good relationship with the
3 President. That is somewhat different than the last three Secretaries of State that we
4 have had. So, let me just say I cannot imagine -- I cannot imagine having someone more
5 qualified to be Secretary of State.

6 I know that -- I know what the outcome is possibly going to be here today, and
7 there is a lot I could say, but I do not want to say it. I do not want to harden positions.
8 We have got tremendous amounts of work to do together. I understand the climate that
9 we are in. I understand the polarization that we have as a nation. And I am hopeful
10 that, yet, this evening, that we are going to do something positive for our nation and
11 handle ourselves in a manner that sends the right signal.

12 There is a NATO meeting Friday. This will be the first time, I think, that we will
13 have not had a Secretary of State at a meeting like this in modern times. And so, I am
14 hopeful that tonight we will be successful in sending him out. I am hopeful that we will
15 be successful on the floor this week in confirming him. I strongly support this nominee.
16 I cannot imagine us -- imagine us having a more currently qualified Secretary of State,
17 and I urge all of us to vote yes.

18 And with that, I will turn to my friend, our distinguished ranking member,
19 Senator Menendez.

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

1 **SENATOR MENENDEZ.** Mr. Chairman, let me say a few things about the nominee.
2 But before I do, let me just say that the Democrats on this committee have
3 overwhelmingly worked with you in moving nominations, in being a constructive part
4 of hearings, and voting for a wide range of nominations. Many of us, including myself,
5 have voted for the President's nominees for Cabinet members, from the Secretary of
6 Defense to the previous Secretary of Homeland Security, now the chief of staff to the
7 President, to the Small Business administrator, to the Transportation Secretary. So, this
8 suggestion that there is partisanship simply because you do not support a nominee is
9 ridiculous based upon the facts.

10 And it is not the Article I rights of the Congress which, as you know from the
11 previous Administration and my comments, very strongly as it relates to the previous
12 Administration on some issues, that I believed strongly that the Congress plays a vital
13 role in the check and balance on any executive branch. And I believe that regardless of
14 who is sitting in the White House. That is what Article I is all about.

15 Now, I am genuinely disappointed to have to cast a vote against a Secretary of
16 State nominee, but at the end of the day as I considered Director Pompeo's nomination,
17 including his hearing, his past statements, his recent revelations, I do not have a
18 satisfactory answer to the question, which Mike Pompeo am I voting on.

1 Unfortunately, during his hearing, Director Pompeo offered contradictory
2 statements. He was less than forthcoming when he was pressed on a number of issues.
3 Given the opportunity to outline the strategies he would advocate to the President and
4 to the country to deal with Russia, with Iran, with North Korea, with China, or
5 Venezuela, he failed to exhibit the depth of knowledge or thoughtfulness about what
6 those strategies would be. Clearly any nominee would know that those would be hot
7 spots in the world which would have to be addressed before the committee.

8 Truthfulness and the willingness to be forthcoming to this committee are
9 essential, in my view, for a Secretary of State nominee. But on both his interview with
10 Special Counsel Mueller about Russia and his nondisclosure of his trip to North Korea,
11 even in a classified setting where he would have that opportunity, both critical issues
12 before this committee, both of which members on both sides of the aisle peppered him
13 with questions about, he exhibited that he was suited more to be the CIA director than
14 the Secretary of State, because he wanted to be clandestine at the end of the day.

15 I do not expect a Cabinet Secretary to publicly disagree with the President.
16 Indeed, it is his or her duty to carry out the President's agenda. But as policies are being
17 worked out, I remain skeptical of the kind of diplomat that Director Pompeo would be,
18 whether he would be willing to push back on the President's worst instincts, whether he
19 would be willing to say no, or whether he would simply be a yes man.

1 When the President blames Russia's aggressive behavior on Democrats -- on
2 Democrats -- will Director Pompeo remind him that Russia's aggressive behavior is
3 about Russia and its attacks upon our country, something that does not seem to be able
4 to come out of the lips of the President? When the President wants to call Mexicans
5 drug traffickers and rapists, as our Nation's top diplomat, would Director Pompeo
6 advise him not to, or would Pompeo, who once called a political opponent a "turban
7 topper," prevail?

8 As our Nation's top diplomat, would Director Pompeo genuinely promote
9 American values of universal equality and individual human dignity, or will we be
10 represented by Congressman Pompeo, who voted against the Violence Against
11 Women's Act to deny support to victims of gender-based violence, and sponsored
12 legislation to roll back marriage equality?

13 As I have said before, I believe it is imperative for the Secretary of State to be
14 forthright, to be someone in whom the American people and our allies can vest faith
15 and trust. Unfortunately, I do not believe Director Pompeo is someone who will always
16 prioritize diplomacy over conflict, particularly in the context of the aggressive foreign
17 policy voices growing around him. I am particularly concerned because of his past
18 comments on regime change in North Korea and Iran, for example.

19 So, these are the legitimate concerns that I and many of my colleagues have.
20 They can express their own views as to why. And I appreciate that in your comments,

1 Mr. Chairman, you say that Director Pompeo has a great relationship with the
2 President. I do believe that being able to speak on behalf of the President and not be
3 undercut, as his former Secretary of State was, is important. But does that great
4 relationship mean that you value the relationship more than the truth? Does that great
5 relationship have you hesitant to push back and say, Mr. President, this is not the best
6 way to proceed? I wonder.

7 Now, we did not choose that there is a NATO meeting this Friday. We did not
8 choose on the timing of when the President fired Secretary of State Tillerson. We did
9 not choose as to when he nominated Director Pompeo. We did not choose as to when
10 Director Pompeo got all his information on his questionnaire. We did not choose when
11 he got his answers to the questions that were proffered to him by members of the
12 committee. So, while I appreciate that there is a NATO summit, it is, I think, not fair to
13 suggest that that is the essence of why we have to cast an affirmative vote for a nominee
14 who otherwise, in many of our views, is flawed.

15 And, you know, I would just say we cleared today's vote. We cleared a second
16 meeting in case there was a need for a second meeting tomorrow. You know, some
17 people said they were voting no. Maybe they are voting yes today. But the bottom line
18 is in anticipation, in order to give a fair opportunity to this nominee, we cleared a
19 meeting notice today. We cleared a meeting notice for tomorrow, too.

1 I think putting that all in context is important for people to understand. This is
2 not about simply being adversarial to the President. This is about the due diligence of
3 Article I and the views as to whether or not this is a Secretary of State nominee who
4 deserves the votes of each and every member.

5 **THE CHAIRMAN.** I do not normally do this. We have some people, though, that
6 are in traffic on both sides of the aisle, and I want to accommodate them. I know this is
7 an important vote for all members. So, we typically would make comments at the time
8 of vote. I know that there are members that want to speak to this nominee, and what I
9 would like to do is go ahead begin doing that, and we will take care of some of the
10 minor business if we complete that and they are still not here. But, again, I am more
11 than glad to hear from other members on this nomination.

12 **SENATOR RISCH.** Mr. Chairman?

13 **THE CHAIRMAN.** Senator Risch.

14 **SENATOR RISCH.** Mr. Chairman, first of all, let me say that I am a little surprised
15 to hear Senator Menendez say that he is holding the trip that Mr. Pompeo made to
16 North Korea against him because he was acting more like a CIA director than a
17 Secretary of State. Well, he is the CIA director, and the President of the United States
18 tasked him to do a job, and he did it and did it well.

19 Let me say that obviously I am going to vote for Mike Pompeo, but I look at the
20 service here in the United States Senate a little differently, through a different prism, I

1 think, than a lot of people do. Three of my committees are this committee, Intelligence,
2 and the Ethics Committee. And I see a tremendous amount of bipartisanship on those
3 committees that no one ever sees. And I tell people that on those issues that come
4 before those three committees, we really do act in a bipartisan nature.

5 I am concerned that the vote here today is a step backwards for this committee in
6 this regard. As the -- as the chairman pointed out, the two Secretaries of State that
7 President Obama had from a philosophical standpoint could not be more diametrically
8 opposed from the philosophical view I have of the world, and yet I voted for both of
9 those nominees because I believe that the President of the United States has the right to
10 choose these people. And under normal circumstances, there really is not any reason
11 not to allow him to have the national security team around him that he -- that he
12 chooses.

13 As far as Mike Pompeo is concerned, obviously a lot of us worked with him
14 when he was in the -- in the House. But on top of that, Senator Rubio and I are the only
15 two members of this committee that sit on the Intelligence Committee as well as here,
16 and we have worked with a number of CIA directors. And I can tell you that the work
17 of the Intelligence Committee is very much tied to an oversight role, and that oversight
18 role only happens when you have a director who is very forthcoming. Obviously, there
19 are 17 intelligence agencies, but the CIA is arguably the most robust one of the bunch
20 and the one that needs the oversight.

1 Mike Pompeo has been incredibly helpful to us on that committee. He has been
2 very forthcoming. I have never seen him drag his feet at all withholding information
3 from members of that committee who have to make a decision on oversight matters.

4 So, I cannot think of anyone that I would feel more comfortable with as far as
5 knowing what is going on in the world today. We all get a lot of that here, but when
6 you sit on the Intelligence Committee, you drill down deep into the weeds, particularly
7 in the trouble spots. Mike Pompeo knows that backwards, forwards, and inside out.
8 He will be speaking for the President when he travels. He is the appropriate person for
9 that. I will be voting yes. Thank you, Mr. -- thank you, Mr. Chairman.

10 **THE CHAIRMAN.** Senator Cardin.

11 **SENATOR CARDIN.** Well, thank you, Mr. Chairman. Our Nation faces serious
12 challenges around the world. I do not think anybody would dispute that: the dangers
13 of North Korea, the dangers of Russia, Iran, Syria, Venezuela, China Seas. We have
14 tremendous challenges. We also have a President who conducts foreign policy in a
15 different way. I think we would agree to that.

16 So, that is why it is critically important that the Secretary of State be an
17 independent voice in the White House. And I must tell you, listening to his testimony
18 before our committee, looking through those answers to the questions for the record
19 and the personal meetings I had with him, I am concerned about that. And let me just
20 give you a couple examples.

1 We want the Secretary of State to be the chief diplomat for America. Diplomacy
2 must always be first in his -- in his mind. And yet when we asked him questions --
3 when I asked him questions and others did on a couple of critical issues, he gives
4 answers that is anything but putting diplomacy first. And he is the CIA director, so I
5 assume he knows pretty much a lot about Europe, and what is happening with Iran,
6 and how our allies feel, and the need for the United States to engage internationally. I
7 assume that he heard our Joint Chief say that if the United States were to unilaterally
8 pull out of the Iran agreement without -- with Iran being in compliance, that that would
9 make it extremely difficult for America to be able to enter into agreements that
10 countries would have confidence in, referring to North Korea.

11 So, as the person who wants to be our chief diplomat, it was hard for me to
12 understand how he could prefer the United States pulling out of the Iran agreement
13 with the Europeans disagreeing with our decision. I specifically asked him that
14 question. Obviously if we had the support of Europe, it is a different story. But he
15 made it very clear that it would be okay for the United States to act on its own in
16 regards to pulling out of the Iran agreement.

17 Now, Mr. Chairman, you know, you and I agreed we did not like the agreement,
18 but I would hope that we would all agree we do not want the United States to be
19 isolated particularly if Iran is in compliance. And as we have talked to our diplomats, I

1 think they all agree that we need to be engaged diplomacy. That is a pretty
2 fundamental point.

3 The second point, and Secretary Tillerson was pretty direct about this, about the
4 United States participating in the climate talks, the climate talks are interesting because
5 they are a voluntary compliance to individually set goals in which the President could
6 change at any time. But the President has chosen to withdraw from the Paris climate
7 talks, the only country in the world. And I know it is the President's call, and I said that
8 directly to Mr. Pompeo. It is the President's call. You follow the President's
9 instructions, I understand that, but how do you feel about it? And he said very clearly
10 he agrees that the United States should withdraw from these conversations.

11 So, I think all those raise fundamental questions. And I know, Mr. Chairman, we
12 all say things we do not -- that we wish we did not say, but Mr. Pompeo did not retract
13 the statements he said about Muslim leaders, which is find to be very troublesome in
14 trying to have the next Secretary of State who will be representing our country to the
15 world that is very diverse.

16 So, I just really want to sort of end on this point. I do not question the motive of
17 any member of this committee as to how you vote on any of the nominations that are
18 before you. I have the deepest respect for every single member of this committee, and I
19 mean that sincerely, and there are many issues that go into making those decisions. So,
20 I do not accuse you of any partisan politics as to how you decide to vote on this

1 nominee, and I hope you would respect the way we go about -- I go about making my
2 decisions on a nominee because I spend a lot of time, particularly on a Secretary of
3 State, to come to a judgment.

4 I take Article I responsibilities very seriously, advice and consent to the President
5 of the United States, and I think it is important each one of us exercise that independent
6 judgment. That is also part of the tradition of this great committee. And, yes, I am
7 proud that this committee has put our national security first ahead of partisan politics
8 over and over and over again, and I expect that we will continue to do that. We have to
9 make a decision today, and I respect the way each of us make that decision.

10 **THE CHAIRMAN.** Thank you. Senator Rubio.

11 **SENATOR RUBIO.** Thank you, Mr. Chairman. I actually am in a unique position.
12 I considered voting against the two previous Secretary of State nominees, John Kerry,
13 who I had worked with -- he sat right in that chair -- because I disagreed with him on
14 many public policy decisions and, in fact, went forward and did many of the things that
15 I thought he might do as Secretary of State. And then Rex Tillerson, who was here for
16 us not long ago. I was not comfortable that he was committed to human rights the way
17 I wanted him to be committed and among some other things. And in both instances, it
18 caused me to kind of go back and review what it is our function is, and perhaps that is -
19 - I am not saying -- perhaps I am wrong about what I think what our function is.

1 But I will share what I hope and believe our function should be when we talk
2 about advice and consent because on the one hand, there are those who argue that our
3 role is to sort of vote for people based on whether or not they are the kind of person we
4 would have picked if we were President, and the other is whether our job is to basically
5 vet the President's preference to see if they are qualified and capable in making sure
6 there is nothing disqualifying against them, and then also with a view, however, that
7 the more important the position, the more deference a President should deserve. So, if
8 this was a sub-secretary of something, the standard might not be as deferential as it
9 would be someone who is actually in the line of succession and also works directly with
10 the President.

11 The chairman has already outlined, when it comes to qualifications, irrespective
12 of whether or not we may agree with him on public policy, I do not think anyone could
13 make a credible argument that Mike Pompeo is not intellectually qualified and does not
14 bring experience to this position that I think are on par with any of the recent nominees
15 that have been offered up to this post, and, in many cases, exceeds it.

16 The chairman pointed out he graduated top of his class at West Point, which we
17 all know what that means. Not only that, he graduated from Harvard, very high. He
18 was actually the editor of the *Law Review*, which for those who have gone to law school,
19 know it is a pretty prestigious spot in which to land. Then he was successful in
20 business, then he was a successful member of Congress despite the seniority system

1 that exists there, and now at the CIA where Senator Risch has just pointed out.
2 Whether you like his views on issues or not, I can tell you the intelligence community
3 has faced some very difficult times publicly and internally in the last couple years. He
4 has done a phenomenal job at least in leading the organization from a morale
5 standpoint, a personnel standpoint. If he had not been, I assure you we would have
6 been hearing a lot about it in regards to this.

7 So, what it boils down to, and some of the arguments I hear, and obviously we
8 are all entitled to arrive at our position through different criteria. But the arguments I
9 have heard in opposition to him is I just do not agree with him on a -- on a public
10 policy. And the problem is the President is entitled to have people in his Cabinet that
11 agree with him or share his world view on public policy.

12 Imagine for a moment if any of us were required to assemble a Senate staff,
13 which is not a Cabinet post, but we were forced to take staffers not only that disagreed
14 with us, but were willing to do publicly in forums such as this for purpose -- even
15 before they came to work for us. So, it is a very difficult spot to be in. I just personally
16 believe that assuming that someone is qualified and there is no disqualifying aspects of
17 them, ethical or otherwise, that the President deserves to have a Secretary of State that
18 agrees with him or her in general on a foreign policy direction. It is the only way they
19 can be expected to conduct the foreign policy of this country.

1 And I would add to that one more point, which the chairman also pointed to,
2 and that is how critical it is that when a Secretary of State travels abroad and meets with
3 someone on behalf of the United States, that the person on the other side realizes that
4 this is someone who has the President's ear and the President trusts and listens to. They
5 are not just there symbolically. They are truly someone that has a relationship with the
6 President and that is incredibly important in order to be successful.

7 So, I would urge everyone to support him. I truly do not -- cannot imagine a
8 better nominee at this moment in the universe of people out there that is available.
9 Thank you, Mr. Chairman.

10 **THE CHAIRMAN.** I would like for it to be noted that if I were to call the vote right
11 now, which I can do, we would vote him out positively. Now, Senator Coons is not
12 here, and we operate in good faith. So, I am going to wait and hold the vote until he
13 gets here. I know it is important for him. His flight to Washington was cancelled.

14 So, I just want everyone to understand I could call the vote right now, and he
15 would be voted out positively based on what I know members are going to do, but I am
16 going to wait until Coons gets here. But after we vote, because Johnny Isakson is not
17 here, I am also going to be asking for an indulgence. But just note -- let it be noted we
18 are a committee that acts in good faith with each other. I told Senator Coons that I
19 would wait until he was here to have the vote.

20 Does anyone else wish to speak? Senator Shaheen.

1 **SENATOR SHAHEEN.** Well, Mr. Chairman, I am not going to relitigate Mike
2 Pompeo's qualifications or not, but I do want to raise the concern that Senator Cardin
3 raised about motives. I do not think it is in any of our interest to question each other's
4 motives for how we made a decision and for what we view as our responsibilities on
5 this committee. So, I would -- you talked about the number of nominees who had very
6 high numbers of votes from the Senate. There are a number of people who I can think
7 of who this President could have nominated who I would be very happy to vote for.

8 So, I think it is hard to make that case and that we are all better off if we assume
9 that we are each trying to act in good faith on these nominees, and not call into question
10 people's motives for making decisions.

11 **THE CHAIRMAN.** I agree a hundred percent. Does anyone else wish to speak?

12 **SENATOR JOHNSON.** If we are going to keep going with speeches, I will speak in
13 order.

14 **THE CHAIRMAN.** Well, I do not really -- now that we have -- I do not know of any
15 other member that is coming, so we no longer need to prolong this, but if people wish
16 to --

17 **SENATOR JOHNSON.** Well, I say let us vote.

18 **THE CHAIRMAN.** I know there is a member --

19 **SENATOR JOHNSON.** Let us do it afterwards, though. I mean, otherwise I will
20 speak in turn.

1 **THE CHAIRMAN.** That is fine. Senator Paul.

2 **SENATOR PAUL.** We have been at war for too long and in too many places, and I
3 think that if we are ever to have less war, we must come to understand that regime
4 change does not work, that often regime change has actually made things worse. And
5 so, as many of you know, I have been opposed to this nomination for a long time. To
6 me, the most important event in foreign policy of the past two decades has been the Iraq
7 War, and the President has repeatedly, repeatedly, repeatedly for years even before he
8 was a candidate said the Iraq War was a mistake.

9 To me, it is the one thing you have to understand if we are to move forward, that
10 the Iraq War was a mistake. Regime change in Iraq made things worse. It emboldened
11 Iran, made Iran worse, and all the same people who wanted to go war in Iraq now want
12 to go to war in Iran. But regime change did not make us safer. It made the world and
13 the Middle East more chaotic.

14 We did the same thing in Libya, for goodness sakes. You know, there are many
15 who are saying, well, we have to topple to Assad. We cannot get rid of ISIS until we
16 topple Assad, and then it turns out that when we turned our attention from Assad to
17 ISIS, we actually did get rid of ISIS. Regime change has not worked.

18 I have somewhat jokingly said, oh, when Gaddafi is gone, what are they going to
19 do, elect Jefferson? They do not have Jefferson. They do not have a history of our
20 Western mores or Western ideas of democracy. We are not getting better, and

1 sometimes we get worse. One of our Iran's best allies or Iraq's best ally now is Iran,
2 maybe sometimes more so than us.

3 So, we have to understand the backfire. The President understood this, and my
4 fear has always been that Director Pompeo does not share that point of view. I asked
5 him here, and he said, oh, it was a long time ago. But I have talked to him again, and
6 again, and again, and I have talked to the President again, and again, and again. And
7 what I hear from the President is no one is changing his mind. Many of these wars
8 were ill-advised, and his goal is really to get us out of many of these wars. That is a
9 goal I share. And so, I actually want Trump to be Trump. I want people around him
10 who actually will give him the advice and not try to persuade him that perpetual war is
11 the answer to things.

12 We all have a variety of opinions and beliefs on whether we think -- which way
13 the President is going, in a good direction or bad. Some on my side would like to go
14 and stay forever. But I want people to understand not only in the country, but I hope
15 the director will understand this, and he assures me that, yeah, he does understand that
16 the Iraq War was a mistake. I would like to hear it a little bit more verbally to others
17 other than myself, but that is what I am hearing. I am hearing that from the President.

18 The other misgiving I have had with Pompeo has been his ideas on surveillance.
19 He talked about having a database that would have lifestyle choices in it, and I am
20 absolutely and unquestionably, unequivocally opposed to more databases by the

1 government, and particularly a government that follows our lifestyle. I think that is just
2 a recipe for *1984* on steroids. But I have talked to both the director on this and to the
3 President again today, and I have not been given anything or promised anything. I do
4 not get a bridge built somewhere. But I have asked that we consider, you know, the
5 liberty of the individual and the Constitution, and I have been assured by the President
6 that there will be a discussion.

7 The President has every bit of power within -- every bit of power to change the
8 rules on who requires a warrant. We can do it here, or the President could simply say
9 tomorrow that the FBI has to get a warrant to search databases that were collected with
10 a less than constitutional standard. We collect stuff in the 702 database and the 12333
11 database that are collected without warrants because we collect them on foreigners. I
12 am actually okay with that, but I am not okay with him searching the database to see if
13 you are a Trump supporter or to see if you are a Democrat supporter, depending on
14 who is in power, or to see if you are someone who might not have filled out their tax
15 forms correctly. I think these databases can be abused, and the President has assured
16 me that there is going to be a discussion, and that we will be involved with the
17 discussion, of things that the Administration can do to try to have Fourth Amendment
18 protections for Americans.

19 And so, with all that being said, I have changed my mind. I have decided to go
20 ahead and vote for Director Pompeo because he has assured me that he has learned the

1 lesson. Now, time will tell if those assurances are true or not, and I will not say that -- I
2 can say with absolute certainty I know what his opinions will be and how they will
3 come out over time. But I do take him at his word that he does and has incorporated
4 the idea that the Iraq War was a mistake.

5 And I think that is a step forward particularly for our side to have anybody say
6 that because I am sure if we had a vote on my side, I would probably lose that vote in
7 the committee even. But I do think that the country understands that the Afghan War
8 has gone on for 18 years and they are ready for some other ideas.

9 I hope that they will let Trump be Trump and that Pompeo will be a constructive
10 influence and not a destructive one. But from what I have been told and listened to
11 with the director, I think that he is open and understands that his job -- that the
12 President is his boss and will listen. And I hope that all of us, the country really, will
13 rethink how many wars we need to be involved in and whether they are constructive or
14 destructive. Thank you.

15 **THE CHAIRMAN.** Thank you. Unless someone really needs to talk, I would like to
16 go on with the vote, but if someone really feels the need to express themselves. We're
17 going to -- I will stay here as long as people wish to express themselves --

18 **SENATOR MERKLEY.** Mr. Chairman, I would be happy to make it brief.

19 **THE CHAIRMAN.** All right, sir.

1 **SENATOR MERKLEY.** I feel that there are three concerns: that there is a conflict of
2 interest, that there is lack of respect for the rule of law, and there is a question of
3 suitability for diplomacy. On the conflict of interest, we have a major world issue that
4 needs to be addressed by working with other countries in climate chaos. The individual
5 being nominated is deeply embedded with a strong history of working very, very
6 closely with the fossil fuel industry and does not seem open to wrestling with this
7 incredible threat to America and the world.

8 In terms of respect for the rule of law, when I lay out for him that the three
9 premises that are in the War Powers Act for the use of force, he indicated that he did
10 not think those were the premises, that, in fact, it was fine under Article II of the
11 Constitution for the President to go beyond the framework of law.

12 And third, on the suitability for diplomacy, his clear decision that the diplomacy
13 should be undone regard to Iran that has created a major barrier from them reaching a
14 nuclear weapon, from his statement that we have a better strategy, which is the use of
15 2,000 sorties, that is not the role of a diplomat. And from his attacks on Muslim-
16 Americans, LGBTQ Americans. So, for those three reasons, I think he is not the right
17 person for this position.

18 And it was our responsibility, as Hamilton laid out, is the person a fit character
19 for the position? And on these three items I do not think he is.

1 **THE CHAIRMAN.** I understand if it comes to this side, people are going to be
2 speaking at length. Do you all want to keep going?

3 **SENATOR JOHNSON.** I have got about an hour-long speech here if I am going
4 next. Do you want me to go for an hour or can we vote?

5 **SENATOR KAINE.** I have a 2-minute speech --

6 **SENATOR JOHNSON.** Okay, why do we not vote, and then we can make our
7 speeches? We have -- we have a vote going on in the chamber right now.

8 **SENATOR MENENDEZ.** Mr. Chairman, this is the Secretary of State nominee.

9 **THE CHAIRMAN.** I am glad to let everyone speak.

10 **SENATOR MENENDEZ.** So, I think people should have the opportunity to establish
11 the record for themselves as they will cast a significant vote here, and I am willing to
12 stay until whatever hour is necessary to have those votes. Let people have their say,
13 and then we can have a vote.

14 **SENATOR JOHNSON.** I guess I'll go next.

15 **THE CHAIRMAN.** Bring the coffee.

16 **SENATOR JOHNSON.** An idle threat. I will not repeat what I think the chairman
17 made excellent points, and the other two Republicans that have spoken, and Senator
18 Paul. But what I guess I would just kind of like to ask my Democratic colleagues. I am
19 not going to question anybody's individual motive for potentially voting no. But based
20 on the qualification of this nominee, what nominee would you vote yes for?

1 So, again, this has always been the case, you know, certainly my standpoint
2 when I voted for Secretary Kerry. I mean, I had 16 ways on Sunday I could have
3 justified a no vote there. But, again, I thought the President of the United States
4 deserves to be surrounded by advisors that agree with the President, not necessarily
5 particularly a member -- particularly not one from the opposition party. So, certainly
6 we on this side have generally taken the viewpoint that even if it is the President of the
7 opposing party, we will vote affirmatively to vote to confirm secretaries of state of that
8 President's party that agrees with the President, not necessarily with us.

9 So, again, I do not know what nominee would actually pass muster here. So, I
10 have to say collectively, not, again, questioning anybody's individual motives, but
11 collectively, this is a deeply partisan action being taken by Democrats, and it is very
12 disappointing.

13 And the other point I want to make is I have sat through a number of committee
14 hearings and other nominations where members of the other side have expressed deep
15 concern about the fact the State Department simply has not been staffed properly. This
16 Administration has not provided nominees to carry out and conduct the business of the
17 State Department. Now, some of those concerns I think are legitimate. I think some of
18 those are grossly overblown. But when you take a look at Director Pompeo's record
19 within the CIA, you have to take a look at it and say he will be excellent fulfilling those
20 positions and bringing a fully-functioning State Department.

1 So, again, maybe in the future, now those individuals who vote against this
2 nominee, I guess I hope I do not have to listen through or listen to a bunch of
3 complaints about a State Department that just is not being staffed properly because you
4 are basically voting no on a nominee who I think will do an excellent job of staffing the
5 State Department. Thank you, Mr. Chairman.

6 **THE CHAIRMAN.** One of the reasons that I would hope we would hold our
7 comments to a degree until after the vote is I am going to ask for something as a
8 courtesy to the committee in a moment. I do not want us to harden ourselves against
9 each other before that time, but I am more than glad to listen to other comments if that
10 is what people want to do. Yes, sir.

11 **SENATOR KAINÉ.** Mr. Chair, I will be brief. This is not about policy difference. I
12 have voted for plenty of people in this Administration who I have differences in policy
13 with. I voted for Director Pompeo to be head of the CIA because I think he is very
14 suited to be the head of an intel agency. But just like I do not want to vote for anti-
15 science people to be the head of science agencies or anti-education people to be the head
16 of education agencies, I do not want to vote for people who are anti-diplomat to be the
17 Nation's chief diplomat.

18 Many people opposed the Iran deal. I only know of one who said we do not
19 need to worry about doing a deal, it is only going to take 2,000 bombing runs to wipe
20 out Iran's nuclear capacity. I only know of one person who said that, and it was

1 Congressman Pompeo. Many people oppose and find reason to oppose, legitimate
2 reason to oppose the regimes in Iran and North Korea. I know of very few who say it
3 should be official U.S. policy to change those regimes.

4 This is the chief diplomat. He has urged us to back out of U.S. diplomat
5 commitment, both to the Paris Accords and the Iran deal. I am on the Armed Services
6 Committee. We have Secretary Mattis, who I think we all respect, sitting at a table at
7 the Armed Committee Services who says Iran is complying with the deal, and staying
8 in the deal is in the national interests of the United States.

9 This is not about policy difference. I voted for people who are against the Iran
10 deal for other positions. But in the chief diplomatic position, to have somebody who
11 thought military action was preferable to diplomacy, who thinks regime should be an
12 instrument of foreign policy, and who takes such a contrary position to the -- to the
13 person that I think is probably the indispensable voice of this Administration on
14 matters of national security, I just -- I just cannot vote yes, and I will vote no for those
15 reasons.

16 **THE CHAIRMAN.** It looks like we are good. I would like to move through the
17 business that we have before us if we could.

18 Without objection, I would like to move to the non-controversial items on the
19 agenda: Mr. Thomas Hushek to be the Ambassador to South Sudan; Ms. Kirsten Dawn
20 Madison to be Assistant Secretary of State for International Narcotics and Law

1 Enforcement Affairs; and the five FSO lists, as modified. I have had the pleasure of
2 working of Kirsten Madison when she was Deputy Staff Director for this committee,
3 and I know that she will do an outstanding at the State Department.

4 Is there a motion to report favorably the Hushek and Madison nominations and
5 the five FSO lists, as modified, en bloc by voice vote?

6 **SENATOR MENENDEZ.** Mr. Chairman?

7 **THE CHAIRMAN.** Yes, sir.

8 **SENATOR MENENDEZ.** First, for myself, I am supporting all of these nominees. In
9 order to help you move along, I ask that the statements I would have made as it relates
10 to each of these nominees be included in the record.

11 [The information referred to follows:]

Statement Submitted by Senator Robert Menendez

I am very pleased that we are considering the nominations of Thomas Hushek for South Sudan, and Kirsten Madison for Assistant Secretary of State, International Narcotics and Law Enforcement Affairs.

Ms. Madison is a skilled and experienced individual who possesses deep knowledge and the extensive leadership and management expertise required to excel in her new role. She was a staffer on this committee for several years, and she was well-regarded by all.

With regards to Mr. Hushek's nomination, South Sudan's civil war—now approaching its fifth year—has been characterized by egregious human rights violations, and has created a humanitarian crisis. More than four million South Sudanese have been forced to flee their homes. Seven million—more than half the

population—currently require humanitarian assistance. And the war shows no signs of ending.

The United States played a critical role in bringing an end to the war in Sudan, and had a central role in helping South Sudan achieve independence. Since the beginning of this Administration, however, I have watched our role diminish. Rex Tillerson eliminated the position of Special Envoy for Sudan and South Sudan in the midst of ongoing conflict—an enormous mistake.

We have not had an Ambassador in Juba for well over six months, which has cut our access and influence in Juba at a time when those who remain in country—journalists, human rights activists, domestic and international aid workers and others in civil society, and even the United Nations— are under increasing pressure from a government that is unwelcoming, to say the least.

Mr. Hushek is an experienced and accomplished Foreign Service officer. A three-time Deputy Chief of Mission, he has extensive managerial experience as well as a strong record of leadership in difficult environments. Confirming him is a necessary, if not sufficient step forward in restoring elevated U.S. engagement.

Mr. Chairman, the President nominated 2 excellent people for these positions, and I look forward to their swift confirmation. I am so pleased when the President nominates these types of individuals for such important positions.

1 **SENATOR MENENDEZ.** And I will make that motion.

2 **THE CHAIRMAN.** Thank you. Is there a second?

3 **SENATOR GARDNER.** Second.

4 **THE CHAIRMAN.** So moved and seconded. The question is on the motion to
5 report favorably the nominations and FSO lists.

6 All in favor, will say aye.

7 [A chorus of ayes.]

1 **THE CHAIRMAN.** All opposed?

2 [No response.]

3 **THE CHAIRMAN.** With that, the ayes have it. The nominations and the FSO lists
4 are agreed to.

5 We will now move to the nomination of Mike Pompeo to be Secretary of State.

6 **SENATOR RISCH.** Mr. Chairman?

7 **THE CHAIRMAN.** Yes.

8 **SENATOR RISCH.** I will move that we send that nomination out favorably to the
9 floor.

10 **SENATOR JOHNSON.** Second.

11 **THE CHAIRMAN.** The clerk will call the roll.

12 **THE CLERK.** Mr. Risch?

13 **SENATOR RISCH.** Aye.

14 **THE CLERK.** Mr. Rubio?

15 **SENATOR RUBIO.** Aye.

16 **THE CLERK.** Mr. Johnson?

17 **SENATOR JOHNSON.** Aye.

18 **THE CLERK.** Mr. Flake?

19 **SENATOR FLAKE.** Aye.

20 **THE CLERK.** Mr. Gardner?

1 **SENATOR GARDNER.** Aye.

2 **THE CLERK.** Mr. Young?

3 **SENATOR YOUNG.** Aye.

4 **THE CLERK.** Mr. Barrasso?

5 **SENATOR BARRASSO.** Aye.

6 **THE CLERK.** Mr. Isakson?

7 **THE CHAIRMAN.** Aye by proxy.

8 **THE CLERK.** Mr. Portman?

9 **SENATOR PORTMAN.** Aye.

10 **THE CLERK.** Mr. Paul?

11 **SENATOR PAUL.** Aye.

12 **THE CLERK.** Mr. Menendez?

13 **SENATOR MENENDEZ.** No.

14 **THE CLERK.** Mr. Cardin?

15 **SENATOR CARDIN.** No.

16 **THE CLERK.** Mrs. Shaheen?

17 **SENATOR SHAHEEN.** No.

18 **THE CLERK.** Mr. Coons?

19 **SENATOR COONS.** No.

20 **THE CLERK.** Mr. Udall?

1 **SENATOR UDALL.** No.

2 **THE CLERK.** Mr. Murphy?

3 **SENATOR MURPHY.** No.

4 **THE CLERK.** Mr. Kaine?

5 **SENATOR KAINE.** No.

6 **THE CLERK.** Mr. Markey?

7 **SENATOR MARKEY.** No.

8 **THE CLERK.** Mr. Merkley?

9 **SENATOR MERKLEY.** No.

10 **THE CLERK.** Mr. Booker?

11 **SENATOR BOOKER.** No.

12 **THE CLERK.** Mr. Chairman?

13 **THE CHAIRMAN.** Aye.

14 **THE CLERK.** Mr. Chairman, the vote is 11 ayes, 10 noes. However, the vote of
15 those present is 10 ayes and 10 noes.

16 **THE CHAIRMAN.** So, for the committee members and those who are tuning in, the
17 way the committee rules work, in order to vote a nominee out favorably, the majority of
18 votes have to come from people who are present. Johnny Isakson gave the eulogy
19 today for his best friend, and he will not back until about 11:30 this evening. I know

1 that all of the members have been able to express themselves in the way they see fit. We
2 have 11 ayes and 10 noes.

3 We can do this several different ways. It is pretty historic to send a Secretary of
4 State to the floor without a positive recommendation. It can be done in other ways. We
5 all know the other ways it can be done. But when you consider the fact that one of our
6 most respected members, Johnny Isakson, who has, I know, accommodated many of us
7 on many occasions, probably had paired votes with other people. When they could not
8 be here, he voted present so that the outcome would be the way that it was supposed to
9 be if everyone was here. I would ask the indulgence of the committee, knowing that we
10 have 11 members who voted yes and 10 members who voted no, I would ask the
11 committee, understanding the historic nature of this, I would ask that the committee by
12 voice vote -- by voice vote -- send this nominee to the floor with a positive
13 recommendation knowing that if Johnny Isakson were here, a valued member, if he
14 were here or if we were holding this vote at 11:30 tonight, this nominee would go to the
15 floor with a positive recommendation.

16 **SENATOR MENENDEZ.** Mr. Chairman? Mr. Chairman, we all have a great deal of
17 respect for Senator Isakson, but this is a vote for a Secretary of State. The
18 parliamentarian has told us that a voice vote that is truly a 10-10 vote is not a vote that -
19 - even on a voice vote, that can move forward to the floor, and would create an
20 infirmity on the floor as it relates to the nominee. It would put us in the position of

1 having to vote yes when we clearly do not support the nominee to move to the floor
2 with a positive recommendation. So, I --

3 **THE CHAIRMAN.** I would move -- I would move by recorded vote.

4 **SENATOR MENENDEZ.** A recorded vote would still leave you in a tie, a 10-10.
5 That is our problem.

6 **SENATOR RISCH.** Mr. Chairman?

7 **THE CHAIRMAN.** I am going to -- we have all -- we have all recorded our votes.
8 Every Democrat has voted no. Every Republican has voted yes.

9 **SENATOR COONS.** Mr. Chairman?

10 **THE CHAIRMAN.** Yes?

11 **SENATOR COONS.** I move that we send the recommendation for the Secretary of
12 State without recommendation --

13 **SENATOR RISCH.** Mr. Chairman. Chris, I think that is one idea. The other way
14 would be is everybody has had an opportunity to express their vote, as the chairman
15 has said. I think what I would do is I would ask unanimous consent that,
16 notwithstanding the rules of the committee, the nomination be sent to the floor with the
17 vote as recorded here in the committee.

18 **SENATOR MENENDEZ.** Reserving the right to object, my concern is that we are
19 beginning to set precedents in the committee that then can be used subsequently. So, if
20 the chair wants to adjourn for a few minutes so that we can understand whether a

1 unanimous consent request, which we obviously understand in the full body, but not
2 the committee, is acceptable to do under the rules, we can see whether that can be
3 entertained. But I do not want to create a precedent that ultimately the majority will
4 recite to us after we agree to it and say, well, you agreed to it this time, why not another
5 time.

6 **SENATOR RISCH.** Mr. Chairman, if I could include in my unanimous consent
7 request that this is only due to the special unique circumstances of today, and that it not
8 be used as precedent in any future action.

9 **THE CHAIRMAN.** Let us -- let us take a 5-minute adjournment if we could, and we
10 will -- we will reconvene in 5 minutes.

11 [Recess.]

12 **THE CHAIRMAN.** The state of play. The rule regarding members being present is
13 not a committee rule. It is a Senate rule. Therefore, committee action cannot overrule
14 that.

15 Senator Isakson's plane lands at 10:15. We can just hold the meeting open until
16 the time. The reason for doing that would be, as I mentioned in my introductory
17 comments, it does appear that Mike Pompeo has the votes to become Secretary of State.
18 I think we acknowledged that we have members -- enough Democratic members that he
19 will be voted on in a positive way.

1 If we wait until tomorrow morning to vote, which we can do, and I appreciate so
2 much our ranking member and others accommodating the fact that we set up a backup
3 meeting in the event we had difficulties this evening. Then we have -- we have the
4 issue of floor time, cloture votes. We know at least somebody in the Senate, it just takes
5 one person, will cause us to burn the clock. And so, we have this NATO summit,
6 foreign ministers summit, that is happening on Friday. We also have other issues that
7 are happening.

8 So, the way this -- in normal ways -- might happen, normal times, would be if
9 any Democratic member would vote "present" -- we had an indication of that. Just vote
10 "present." We could vote -- we could vote our CIA director out on a positive vote,
11 positive recommendation. Everybody has already recorded their votes.

12 It seems to me that that is the will of the committee. That is the will of the
13 committee. We have one respected member giving a eulogy at a funeral. All of us have
14 had to do the same. And it seems to me just from the standpoint of history and the
15 permanent status of this coming out of committee, being a part of history, and since we
16 know the committee itself on an 11-10 vote wants to vote this member -- this person out
17 on a positive vote. If I have an indication that one member would vote "present," then
18 we could go ahead and do this. If not, we could stay until 11:00 tonight or 11:30 and
19 vote. I am open to either one.

1 **SENATOR MENENDEZ.** Mr. Chairman, the reason that I raised the question in the
2 first place is because I was concerned about precedent, and sure enough --

3 **THE CHAIRMAN.** Yes.

4 **SENATOR MENENDEZ.** -- we would have been in the midst of establishing a
5 precedent against the rules and an infirmity of the nomination on the floor. So, if I
6 really wanted to stop this, I would have let you do it so that we would have an infirmity
7 on the floor. So, it is not --

8 **THE CHAIRMAN.** Oh, actually, I had people whispering in my ear --

9 [Laughter.]

10 **THE CHAIRMAN.** It is not like we are not that prepared.

11 **SENATOR MENENDEZ.** But having said that, I think that instead of asking any
12 member who feels strongly about this vote that we keep the vote open until tonight.
13 That will allow you to achieve the goal of having Senator Isakson cast his vote. You will
14 have the appropriate vote that you wish to send it to the floor. You will not lose time
15 because we would still be within the calendar day, so for the floor process, nothing will
16 be affected. So, I think that is the other process that could be achieved here.

17 **THE CHAIRMAN.** Okay. Well, that is fine with me. So, we have a situation where
18 we cannot do roving votes because the same infirmity could occur on the floor. So, that
19 will mean the committee meeting -- any member can -- aside from knowing these other
20 things that are infirmities, we are aware that a roving vote -- rolling vote -- another

1 member can come to the floor that is not a member of the committee and consider that
2 invalid if there is not a quorum present. All they have to ask was a quorum present
3 when the vote took place, so we really cannot do that either.

4 So, I would just look forward to us voting again tonight at 11:00, and if members
5 want to go vote, I will call --

6 **SENATOR COONS.** Having heard earlier this afternoon a request from my dear
7 friend, Senator Isakson, whom I esteem greatly, this was not the fact pattern that we
8 had expected. Given the public statements by a number of the members of this
9 committee, we expected to be in a different fact pattern. I am recorded as voting against
10 Mike Pompeo for Secretary of State, but I will vote "present" to allow him to move
11 forward now without us having to wait until 11:00 at night because that just seems,
12 frankly --

13 I respect the ranking member's legitimate concerns about not creating precedent
14 or infirmity, but to force all of us to reconvene at 11:00 tonight. I have spoken to
15 Johnny. I know how very demanding and draining this eulogy was for him today. I
16 will vote "present."

17 **THE CHAIRMAN.** Well, that is -- that is what I would have expected. Thank you.
18 Thank you so much. With that, the clerk will call the roll. And this is on the
19 recommendation to send Mike Pompeo out to the Senate -- to the full Senate with a
20 positive recommendation.

1 THE CLERK. Mr. Risch?
2 SENATOR RISCH. Aye.
3 THE CLERK. Mr. Rubio?
4 SENATOR RUBIO. Aye.
5 THE CLERK. Mr. Johnson?
6 SENATOR JOHNSON. Aye.
7 THE CLERK. Mr. Flake?
8 SENATOR FLAKE. Aye.
9 THE CLERK. Mr. Gardner?
10 SENATOR GARDNER. Aye.
11 THE CLERK. Mr. Young?
12 SENATOR YOUNG. Aye.
13 THE CLERK. Mr. Barrasso?
14 SENATOR BARRASSO. Aye.
15 THE CLERK. Mr. Isakson?
16 THE CHAIRMAN. Aye by proxy.
17 THE CLERK. Mr. Portman?
18 SENATOR PORTMAN. Aye.
19 THE CLERK. Mr. Paul?
20 SENATOR PAUL. Aye.

1 THE CLERK. Mr. Menendez?
2 SENATOR MENENDEZ. No.
3 THE CLERK. Mr. Cardin?
4 SENATOR CARDIN. No.
5 THE CLERK. Mrs. Shaheen?
6 SENATOR SHAHEEN. No.
7 THE CLERK. Mr. Coons?
8 SENATOR COONS. Present.
9 THE CLERK. Mr. Udall?
10 SENATOR UDALL. No.
11 THE CLERK. Mr. Murphy?
12 SENATOR MURPHY. No.
13 THE CLERK. Mr. Kaine?
14 SENATOR KAINE. No.
15 THE CLERK. Mr. Markey?
16 SENATOR MARKEY. No.
17 THE CLERK. Mr. Merkley?
18 SENATOR MERKLEY. No.
19 THE CLERK. Mr. Booker?
20 SENATOR BOOKER. No.

1 THE CLERK. Mr. Chairman?

2 THE CHAIRMAN. Yes.

3 THE CLERK. Mr. Chairman, the tally is 11 ayes, 9 noes, and 1 present.

4 THE CHAIRMAN. We will report him to the floor in a positive manner. I want to
5 thank members of this committee for the diligence they have displayed. I think we
6 have done the right thing together. I want to thank Senator Coons for being a
7 statesman.

8 With that -- with that, that completes the committee's business. I understand -- I
9 ask unanimous consent that staff be authorized to make technical and conforming
10 changes.

11 Without objection, so ordered.

12 With that, without objection, the committee will stand adjourned.

[Whereupon, at 6:12 p.m., the meeting was adjourned.]