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*Wednesday, May 16, 2018*

**BUSINESS MEETING**

U.S. SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
115<sup>TH</sup> CONGRESS, SECOND SESSION

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*Wednesday, May 16, 2018*

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COMMITTEE ON FOREIGN RELATIONS,  
WASHINGTON, DC.

1           The committee met, pursuant to notice, at 10:05 a.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, Flake, Gardner, Isakson,  
4 Portman, Menendez, Cardin, Shaheen, Murphy, Kaine, and Merkley.

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

5           **THE CHAIRMAN.** The business meeting will come to order.

6           And I want to thank everybody for being here.

7           I think what we are going to do -- I think everyone understands we have got  
8 some nominations that likely will be decided on very quickly. I am going to go ahead  
9 and introduce that portion of the meeting. I know Senator Menendez has a few  
10 comments to make. And if members show up and we can vote, we will. Otherwise we  
11 will move to the AUMF hearing and just move away from that once we have a quorum  
12 here to be able to deal with the nominations.

13           Today, nominations-wise, we have Mr. Francis R. Fannon to be Assistant  
14 Secretary of State for Energy Resources; Mr. Jonathan R. Cohen to be the Deputy

1 Representative to the United Nations and Representative to the General Assembly of  
2 the United Nations. We have Mr. David Cornstein to be Ambassador to Hungary. We  
3 have Mr. Eliot Pedrosa to be Alternate Executive Director of the Inter-American  
4 Development Bank, and the Honorable Jackie Wolcott to be Representative to the  
5 International Atomic Energy Agency and Representative to the Vienna Office of the  
6 United Nations.

7 With that, I would like to recognize our distinguished ranking member and my  
8 friend, Bob Menendez.

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

9 **SENATOR MENENDEZ.** Thank you, Mr. Chairman. I just want to say that the  
10 Democrats are here ready to vote on the President's nominees. So let it be reflected in  
11 the record.

12 **THE CHAIRMAN.** I am glad you are in another good mood.

13 [Laughter.]

14 **SENATOR MENENDEZ.** I said it with a smile, Mr. Chairman.

15 I am pleased with many of the nominees before us today, and I intend to vote in  
16 favor of all of them but one.

17 But before I do so, I want to discuss the recent controversy concerning our newly  
18 confirmed Ambassador to Germany, Richard Grenell, as well as the importance of  
19 vetting nominees that come before this committee.

1           On April 26, 2018, shortly before Mr. Grenell was confirmed by the Senate, I  
2 spoke on the floor about his nomination. I noted that Germany is a key NATO ally, not  
3 only for our security, but for the values we hold dear as a country. And I discussed Mr.  
4 Grenell's willingness to re-tweet DNC emails stolen by Russian intelligence, essentially  
5 doing Vladimir Putin's work for him, which is in my mind unbelievable. This tweet  
6 came on top of an extensive history of derogatory comments about women over  
7 Twitter. On the floor of the Senate, I stated that these tweets showed his bad judgment  
8 and that he is publicly contributing his own brand of toxic political discourse. They are  
9 not the actions of a diplomat, and I expressed my concern about whether he would do  
10 such things, if confirmed, when he went to Germany.

11           Mr. Grenell's actions on his first day as Ambassador proved my concerns were  
12 well-founded. Within hours of presenting his credentials to German President  
13 Steinmeier, and following President Trump's withdrawal of the United States from the  
14 JCPOA, Mr. Grenell tweeted that "German companies doing business in Iran should  
15 wind down operations immediately." This did not go over well in Germany. Many  
16 Germans immediately condemned Mr. Grenell's tweet as offensive and inappropriate.  
17 It was perceived as the United States giving orders.

18           Mr. Chairman, this is not effective diplomacy, and this is not how one treats one  
19 of America's longstanding allies.

1           Ambassador Grenell's aggressive posture towards his German hosts stands in  
2 sharp contrast to the approach taken by Ambassador Huntsman in Russia. Last week,  
3 Ambassador Huntsman announced his attendance at the St. Petersburg Economic  
4 Forum and encouraged American business leaders to attend as well. The U.S. embassy  
5 produced an online video promoting U.S. businesses at the forum, the kind of video  
6 you would expect to see from an Ambassador to one of our closest allies, for example,  
7 Germany.

8           Several Russian individuals on the U.S. sanctions list will be in attendance at the  
9 St. Petersburg forum, including Viktor Vekselberg, a Russian oligarch who was  
10 sanctioned on April 6th.

11           So in my mind, what kind of message is this administration sending by attacking  
12 our allies while acting as though there is nothing amiss in our relationship with  
13 Moscow?

14           If Mr. Grenell's actions have demonstrated anything, it is the importance of  
15 properly vetting the nominees that come before the committee.

16           And to that extent, Mr. Chairman, I have comments about all of the other  
17 nominees we are considering today, which I intend to support. I would ask that they be  
18 included in the record except for one that I want to speak to.

19           **THE CHAIRMAN.** Without objection.

OPENING STATEMENT OF RANKING MEMBER ROBERT MENENDEZ

I intend to vote for four of the nominees on today's agenda. Mr. Cohen is a long serving Foreign Service officer who is extremely qualified for his position. These are the types of nominees we should see more of—nominees who have the background, temperament and skills to represent our country on the international stage. I also look forward to voting for Mr. Eliot Pedrosa, the son of Cuban exiles, who has extensive business and finance experience in Latin America.

I am increasingly concerned by the situation in Hungary, including a sustained rollback in the rule of law and increasing xenophobia and threats to human rights defenders and independent media. I spent time in our hearing and in my private meeting with Mr. Cornstein discussing the urgency of the situation in Hungary and the specific ways in which he is prepared to push back on anti-democratic developments.

The U.S. representative to Vienna plays a critical role in promoting U.S. values across a series of key international bodies, including the IAEA. While I opposed the JCPOA, it is a grave mistake to walk away from this deal without a plan for ensuring that Iran does not restart its nuclear weapon program. It will be up to Ms. Wolcott, if confirmed, to rebuild our allies and partners' trust in the United States.

1        **SENATOR MENENDEZ.** Finally, Frank Fannon has considerable energy policy  
2        experience, but I do not think his experience represents the American public's best  
3        interest. He has spent most of his career advocating for what is in the best interests of  
4        one of the most polluting industries on the planet, the oil and gas industry. He has  
5        lobbied against comprehensive climate change legislation, against tighter regulation of  
6        cigarette and tobacco products, against the offshore drilling moratorium in the Gulf of

1 Mexico which was put forth immediately after the Deepwater Horizon disaster, and  
2 perhaps most concerning to me, he lobbied against my Big Oil Bailout Prevention Act, a  
3 bill to vastly improve oil industry and accountability and liability for damages to the  
4 environment, economy, and public health.

5 Energy security rests in energy diversification, innovation, and development of  
6 zero and low carbon energy sources. The appointment of an oil and gas lobbyist to this  
7 position demonstrates a backwards outlook on energy policy.

8 So while I will vote to advance the nominations of Ms. Wolcott, Cornstein,  
9 Pedrosa, and Mr. Cohen, I will be voting against Mr. Fannon's nomination.

10 Thank you, Mr. Chairman, for the opportunity.

11 **THE CHAIRMAN.** Well, thank you for that.

12 Are there any other comments? Are we ready to move to a vote?

13 We are going to have a roll call vote on Fannon.

14 **SENATOR MENENDEZ.** I can do a voice vote.

15 **THE CHAIRMAN.** Voice vote? Okay.

16 So do we have a motion to favorably report all nominations en bloc by voice  
17 vote?

18 **SENATOR MENENDEZ.** So moved.

19 **THE CHAIRMAN.** Second?

20 **SENATOR GARDNER.** Second.

1           **THE CHAIRMAN.** So moved and seconded. The question is on the motion to  
2 report favorably the nominations.

3           All those in favor will say aye.

4           [Chorus of ayes.]

5           **THE CHAIRMAN.** Opposed?

6           **SENATOR MENENDEZ.** Mr. Chairman, I will be aye on all but Mr. Fannon.  
7 Would you please have me listed as no on Mr. Fannon?

8           **THE CHAIRMAN.** Anyone else like to be recorded that way?

9           **SENATOR MERKLEY.** Mr. Chairman, the same position.

10          **THE CHAIRMAN.** Senator Merkley? Anybody else?

11          [No response.]

12          **THE CHAIRMAN.** Very good.

13          The nominations all pass and are agreed to, with the two negative votes  
14 recorded.

15          *[At the hearing which immediately followed this business meeting, Senators Markey and*  
16 *Booker asked to be recorded as a no vote on Fannon through a UC request made by*  
17 *Ranking Member Menendez. Also, Senator Paul asked to be recorded as a no vote on*  
18 *Wolcott made through a UC request by Chairman Corker.]*

19          I understand also that Senator Barrasso has asked that he be permitted to enter a  
20 statement on the Fannon nomination into the record. Without objection, we will have  
21 that so ordered.



[THE PREPARED STATEMENT OF SENATOR BARRASSO FOLLOWS:]

Today, the committee is considering the nomination of Frank Fannon, to be the first Assistant Secretary of State for the Bureau of Energy Resources (ENR.) Over the years, I have raised concerns about confirming an individual to this position due to the organizational and structural problems with ENR.

Improvements are needed to ensure the U.S. government is pursuing a consistent and effective international energy policy across the world. There has been no clear delineation of responsibilities and authorities on international energy policy within the Executive Branch. Duplication, redundancies and conflicting lines of authorities have created serious problems delivering a consistent message from the United States on international energy. The existing maze of bureaucratic authorities has also created confusion for Congressional committees responsible for reviewing and conducting oversight of the Executive branch activity.

During his confirmation process, I had the opportunity to speak to Secretary Pompeo directly about these problems and I asked for his assistance in fixing the existing structure. On April 16, 2018, I sent a letter to Mike Pompeo outlining my concerns and asking for his commitment to addressing my serious concerns about duplication, redundancies, and failed coordination. On April 23, 2018, Mike Pompeo responded to my letter.

He wrote, "If confirmed, I am committed to conducting a comprehensive review of the organization structure, responsibilities and programs of both ENR and the U.S. Department of Energy's Office of Policy and International Affairs to explore and address any overlapping or conflicting missions." In addition, he committed to working with other members of the Cabinet and officials within the Administration to identify and delineate lines of authority and responsibilities as they relate to U.S. policy on international energy issues. He also committed to submitting a summary of his findings and the steps to be taken to eliminate overlapping and conflicting roles.

I appreciate Secretary Pompeo's commitments and willingness to address the current problems. I look forward to working with the Administration to ensure the United States is developing strong international energy strategies and clearly communicating a unified message to our allies and the international community.

1           **THE CHAIRMAN.** That completes the committee's business. I ask unanimous  
2 consent that staff be authorized to make technical and conforming changes. Without  
3 objection, so ordered.

4           And with that, without objection, the committee will stand adjourned. The  
5 business meeting will stand adjourned.

**[Whereupon, at 10:13 a.m., the meeting was adjourned.]**