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*Thursday, May 25, 2016*

**BUSINESS MEETING**

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

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COMMITTEE ON FOREIGN RELATIONS,  
WASHINGTON, DC.

1           The committee met, pursuant to notice, at 9:39 a.m., in S-116, Dirksen Senate  
2 Office Building, Hon. Bob Corker, chairman of the committee, presiding.

3           Present: Senators Corker [presiding], Risch, Rubio, Flake, Gardner, Young,  
4 Barrasso, Paul, Cardin, Menendez, Shaheen, Coons, Udall, Murphy, Kaine, Markey,  
5 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. I want to  
7 thank everybody for being here. Our great friend, Senator Cardin, has the benefit of  
8 living in a state he can drive to at night, but has difficulty sometimes in the morning  
9 with some undue traffic. But we thank all of you for being here, and we hope we will  
10 have a very expeditious meeting.

11           I want to say three things on the front end. First of all, we have moved this Iran  
12 vote back to accommodate many members' concerns about the fact that elections were  
13 taking place in Iran. And we wanted to take up this issue after the fact, and I was  
14 certainly more than glad to accommodate that. I think it has put us in a position now to

1 pass this bill in an overwhelming fashion. But I just want to suggest that it demonstrates  
2 the committee's desire to work with people in such a manner that they can get  
3 comfortable with a situation due to world events that are taking place.

4 Secondly, as it relates to Russia, our relationship with Russia is at the lowest  
5 point it has been since 1991 for good reason. I think all of us abhor what happened  
6 during the election. We have seen the activities in Syria, Ukraine, Crimea, and other  
7 places.

8 Because of the situation in Syria right now, Secretary Tillerson talked to me  
9 several weeks ago about the fact that he would like at least to have an opportunity, a  
10 short window of opportunity to see if there is any way to change the trajectory in our  
11 relationship with Russia. And I talked to Senator Cardin about that. I have also met with  
12 Senator Crapo and Senator Brown on the Banking Committee because they also can  
13 claim jurisdiction over Russia sanctions.

14 I went down to the SCIF this week and read intel on our relationship with Russia  
15 and what they are doing in Syria. I can just tell you, I see no difference whatsoever. It  
16 seems to me they continue to work against our interests there. But unless Secretary  
17 Tillerson can come in early in this next work session and share with us that these things  
18 are occurring that are changing the trajectory, it is my sense our committee should go  
19 ahead and move quickly to deal with Russia sanctions in this next period of time.

1 I have shared that with Ben. I know Senator Shaheen had an amendment today. I  
2 talked with her yesterday about this.

3 This has been where we have been for some time, and I think to give a new  
4 Secretary of State some time to try to alter that at a time where all of us would like to  
5 see an outcome that is different from what is occurring to me was an appropriate thing  
6 to do. But like all of you, I believe that what happened during the election is totally  
7 inappropriate. I think that Russia has been very nefarious relative to U.S. interests in  
8 general, certainly in Syria and in Europe.

9 Thirdly, I want to say that I appreciate the work of Senator Flake and Senator  
10 Kaine on an AUMF. I know they are going to have a press conference today at noon. We  
11 have gone through the AUMF that you guys have drafted, and to me, again, it is the  
12 best of the United States Senate working in a bipartisan way to come up with something  
13 that may, in fact, work. I know at the end of last year with an election coming up, we  
14 felt like maybe that was not the right time to take it up.

15 The administration says they are going to have their ISIS strategy in place by the  
16 middle of June. I know that the appropriations bill said they could not draw any more  
17 money until they had that in place. But it would be my hope that in addition to dealing  
18 with Russia sanctions in the event nothing demonstrably has changed relative to the  
19 trajectory in Syria, that we would also during this next work period begin to take up the  
20 AUMF that I know people have discussed for some time.

1           So, I just wanted to say that on the front end. Ben, I am going to make my normal  
2 opening comments. My guess is you may want to make some comments now, but I am  
3 going to through the standard opening comments.

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

4           **SENATOR CARDIN.** Maybe if I could, and I think what I am going to do is defer  
5 my individual comments on specific bills to when they are brought forward. So, if I  
6 could just respond on the first points, and then I will defer to --

7           **THE CHAIRMAN.** Okay.

8           **SENATOR CARDIN.** -- if you will give me an opportunity as we bring up each of  
9 the bills so we can move this quickly.

10          **THE CHAIRMAN.** Absolutely. Absolutely.

11          **SENATOR CARDIN.** First, let me thank the chairman. What he has said is  
12 absolutely accurate. We have been working together on Russia since the beginning of  
13 this Congress, and we have had different views. And I understand the chairman's  
14 concerns about the Administration having an opportunity to present its game plan, and,  
15 of course, to see whether, in fact, there is any change in Russia's behavior.

16          We have seen a change in Russia's behavior. It has all been bad. It has all been  
17 more aggressive and more active. Not only did we see what happened in trying to deal  
18 with our democratic institutions here in the United States, we saw it in Montenegro, we  
19 saw it in France. We expect we will see some things in Germany. But it is also their

1 geographical aggression in Europe. It is their aggression in the Middle East. It is their  
2 human rights violations.

3         And as a result, as the chairman knows, legislation was filed very early in this  
4 Congress that I authored with Senator McCain and 10 Democrats, 10 Republicans. It is a  
5 strong bill. It is a strong bill that contains sanctions against Russia because Russia's  
6 conduct requires a very firm response. And it is in keeping with the traditional balance  
7 between the executive and legislative branch, and provides the tools we think necessary  
8 for President Trump to make it clear to Mr. Putin that we will not tolerate this type of  
9 behavior.

10         The bill also has a very strong provision protecting the democratic institutions of  
11 Europe and the United States, and dealing with the propaganda campaign that Russia  
12 has waged.

13         A couple of weeks ago, the two of us met, and you indicated to me that during  
14 this work period you thought we could get together on the second part of the issue, on  
15 dealing with democratic institutions and dealing with propaganda. And, in fact, we  
16 have, and we have on markup today that part of the bill that was introduced in the  
17 early part of the session.

18         I now understand that you believe we can take up the Russia sanctions early  
19 enough in time during the next work period that it could be considered on the floor.  
20 And in the tradition of our committee, if we come together, I know that we can work

1 together with the Republican and Democratic leadership in an attempt to get the Russia  
2 sanction bill on the floor during the next work period.

3 And that is the way I think it should work, and I support the chairman's initiative  
4 so that we can attempt to do that. I think it is very, very important that we act on the  
5 Russia sanction bill. And I have no illusions that Russia in the next couple of weeks is  
6 going to change their behavior. This is a deliberative effort to try to undermine our  
7 democratic institutions. But I do look forward to Mr. Tillerson explaining to us the  
8 Administration's Russian policy, and what he has seen, and his impact on Russian  
9 behavior.

10 **THE CHAIRMAN.** With that, on the agenda today, we have a number of pieces of  
11 legislation, a nominee, and two Foreign Service officer lists. We will consider S. 1221,  
12 Countering Russian Influence in Europe and Eurasia Act of 2017 that Senator Cardin  
13 just referred to. The United States did not recognize territories of Georgia, Ukraine, and  
14 Moldova that Russia has invaded and continues to occupy; instead we call on Russia to  
15 withdraw its forces and to respect the territorial integrity of these countries. The United  
16 States should prioritize its aid and assistance programs in ways that prioritize our allies  
17 and the need to address the threats posed by cyberattacks.

18 Today we will also consider S. 722, Countering Iran's Destabilizing Activities of  
19 2017. I would really like to thank all the members of this committee for working in a

1 constructive, bipartisan fashion to create this legislation. I think the legislation is a good  
2 example of how we can work together to tackle complex and difficult issues.

3 I was in the SCIF earlier this week, as I have already mentioned, reviewing some  
4 intelligence, and it really is astounding what Iran continues to do around the world. For  
5 people that are capable of so much, and we have some people here I know who know  
6 that, their foreign policy is shockingly counter to their own interests.

7 We see destabilizing act after destabilizing act from missile launches, to arms  
8 transfers, to terrorist training, to illicit financial activities, to targeting navy ships, and  
9 detaining American citizens, and the list goes on and on. The bill is the first time  
10 Congress has come together since the JCPOA, and said that no matter what we thought  
11 about the nuclear deal, we want to address Iran's non-nuclear bad actions.

12 Finally, I think it is important to recognize the work Senator Menendez has done  
13 on this issue. He has been the spiritual leader on this for many, many years, and I want  
14 to thank him for his efforts. He is truly an asset, as we all know on the committee, and  
15 we are better for it.

16 We also want to consider S. 905, Syrian War Crimes Accountability Act. And I  
17 would like to thank Senator Cardin and Senator Rubio for their leadership on this bill,  
18 as well as other co-sponsors on this committee: Senators Young, Booker, Coons, Kaine,  
19 Markey, Menendez, Merkley, and Shaheen. This bill sends a strong message to Assad,



1 ISIS, and all those who are brutalizing the Syrian people that they will be held  
2 accountable for their crimes, and I am proud to co-sponsor this legislation.

3 Next is H.R. 601, the Reinforcing Education Accountability in Development, the  
4 READ Act. I am voting in favor of the READ Act. It restores our committee's role in  
5 providing authorities and direction for a USAID program that has been appropriated  
6 without such guidance by our committee for over a decade.

7 We will also mark-up S. 1141, the Women Peace and Security Act of 2017, which  
8 requires the administration to create a single government-wide plan to promote the  
9 meaningful participation of women into peace and security efforts. I would like to thank  
10 the bill's sponsors in this new Congress, Senators Shaheen and Capito, as well as  
11 Representative Noem and our colleagues in the House, for working with us to improve  
12 this legislation. And I am pleased that we are ready to move it through our committee.

13 I would also like to take a moment to recognize our former colleague, Senator  
14 Boxer. If you will remember, we committed to her at the end of last year we would get  
15 this dealt with, and, Senator Shaheen, thank you for working to get it across the finish  
16 line, which I hope will happen today.

17 Also on the agenda is S. Res. 114, expressing the sense of the Senate on the  
18 humanitarian crisis in Nigeria, Somalia, South Sudan, and Yemen. I thank Senators  
19 Young and Cardin for this resolution, which calls on the U.S. to lead an urgent and  
20 comprehensive international diplomatic effort to address the obstacles in each of these

1 countries that are preventing humanitarian aid from being delivered to those who  
2 desperately need it. Senator Coons and I saw firsthand what is happening there just a  
3 few weeks ago, and I thank all of you for pushing this forward.

4 We will also consider S. Res 18, affirming the U.S.-Argentina partnership, and  
5 recognizing Argentina's economic reforms. We thank Senator Coons for this resolution  
6 and Senator Cardin for working with us to update the text. After its last election,  
7 Argentina is on a good path, and I think we know that. We are impressed with the  
8 leadership, and it has been helpful in regard to Venezuela.

9 We will consider S. Res. 176, a resolution commemorating the 50th anniversary  
10 of the reunification of Jerusalem. I would like to thank Senators McConnell and  
11 Schumer, Heller, and Graham for offering this resolution. Lastly, I want to thank my  
12 colleagues for helping the committee work through nominees and the Foreign Service  
13 officer lists in an appropriate fashion.

14 With that, again, I think you want to wait to speak to each agenda item, but I will  
15 recognize you anyway, Senator Cardin.

16 **SENATOR CARDIN.** Well, thank you, Mr. Chairman. This is a rather ambitious  
17 agenda. We have a long list. I do have some comments on some of the individual  
18 matters. I do support all the items that are on the agenda.

19 **THE CHAIRMAN.** First and in the interest of time, I would like to ask the  
20 committee to proceed to consider en bloc the nomination for Scott Brown, ambassador

1 to New Zealand and Samoa, and the two Foreign Service officer lists before the  
2 committee. Senator Cardin, do you have anything you want to say about this?

3 **SENATOR CARDIN.** I support the nomination and the list, and I move that we  
4 adopt it.

5 **THE CHAIRMAN.** If there is no further discussion on this, I would entertain a  
6 motion to approve these by voice vote en bloc.

7 **SENATOR CARDIN.** So moved.

8 **THE CHAIRMAN.** Is there a second?

9 **SENATOR COONS.** Second.

10 **THE CHAIRMAN.** So moved and seconded.

11 The question is on the motion to approve the nomination and promotions.

12 All those in favor, say aye.

13 [A chorus of ayes.]

14 **THE CHAIRMAN.** Opposed.

15 [No response.]

16 **THE CHAIRMAN.** With that, the ayes have it. The nomination and promotions are  
17 agreed to.

18 Next, we will consider S. 722, Countering Iran's Destabilizing Activities Act of  
19 2017. Senator Cardin?

1           SENATOR CARDIN. Yes. Thank you, Mr. Chairman. First, let me express my  
2 appreciation and support to Senator Menendez and Senator Corker for the manner in  
3 which this bill has been handled. The legislation is a hundred percent consistent with  
4 our obligations under the JCPOA, an agreement that was negotiated by the Obama  
5 Administration in which we had a lengthy debate here in this committee and in the  
6 United States Senate.

7           The agreement is going forward. It is in the United States' interest to stay  
8 compliant with that agreement, provided that Iran complies with its nuclear obligations.  
9 The Administration has certified that Iran has been in compliance with its obligations  
10 under the JCPOA, and I want to make sure that the United States maintains its  
11 commitment to the JCPOA.

12           Several months ago, Senator Menendez and Senator Corker introduced  
13 legislation, and they were kind enough to share that legislation with me and with  
14 others. And we had a lengthy discussion as to whether some of these provisions could,  
15 in fact, lead to problematic concerns, and we negotiated back and forth as we should  
16 have in an open, transparent process.

17           To the credit of both Senator Menendez and Senator Corker, they opened up that  
18 process to outside experts who understand the nuances of our relationship with Iran,  
19 and understand the challenges we have with Iran, not just on the nuclear side, but on

1 the human rights side, on the ballistic missiles side, on the terrorism side, on arms  
2 embargo issues.

3 And we were able to refine the bill to focus on what we were trying to do, and  
4 that is that despite the fact that we have an agreement dealing with the nuclear  
5 dimensions of Iran, Iran is still carrying out and increasing its activities that are against  
6 international norms on the non-nuclear side.

7 We were encouraged by the people of Iran in their vote yesterday. It was an  
8 encouraging vote. I think the people of Iran want an open society. They want a country  
9 that will provide economic opportunity for their children and grandchildren.  
10 Unfortunately, their leaders are not doing that. Their leaders instead are leading the  
11 country in a path that is causing destruction.

12 So, when we take a look at what they have done, we see ballistic missile tests in  
13 January/March, violating international norms; illicit shipment of weapons to proxies in  
14 Bahrain, Yemen, Iraq, Hezbollah in Lebanon, Hamas in Gaza, and the Assad regime in  
15 Syria.

16 Last month, I will give you just one example from many, the U.S. Navy  
17 intercepted a boat carrying 1,500 AK-47s and 200 rocket propelled grenade launchers  
18 and machine guns from Iran. The Iran fighters in Iraq are violating basic human rights  
19 and are participating in ethnic cleansing. In Yemen, they are supporting the Houthi  
20 rebels, and threatening U.S. commercial and military ships in the Red Sea. Their cyber

1 activities are well understood to be against and hostile to the United States. They have  
2 at least five American citizens in custody today illegally. And the list goes on and on  
3 and on.

4 So, this is not a country that is trying to enter the norms of society. Yes, they have  
5 entered into a nuclear agreement, and we want to make sure they comply with the  
6 terms of that. But under that agreement, we have full rights, and, I would say,  
7 obligations to respond to their other activities. And that is what this legislation does.

8 Now, there are some amendments that we have agreed to in further consultation  
9 with the outside interest groups and members of Congress, who are looking at every  
10 aspect of this to make sure that we are on completely firm ground. And I thank  
11 Chairman Corker and Senator Menendez for the chairman's manager's amendment,  
12 which will make it clear that the ballistic missile sanctions only go to those individuals  
13 or entities that are knowingly directly and materially contributing to the violations. The  
14 human rights activities are only after the effective date of this legislation.

15 The sanctions under the executive order related to ballistic missiles and terrorism  
16 that may be entitled to relief under the JCPOA, but are subject to sanctions that they are  
17 still violating ballistic missiles of terrorism, that those determinations will be made in  
18 the ordinary course rather than as an additional certification which cause some concerns  
19 to some individuals. The enforcement of the arms embargo only against individuals

1 who knowingly participate, and the coordination with the U.S. and EU, we eliminate  
2 going back until September 2009.

3 So, my point, Mr. Chairman, is that this bill has been carefully drafted to deal  
4 with the activities that Iran is participating in today. I would urge our colleagues to  
5 understand that what this bill does is establish a regional strategy, which is what  
6 Congress should require the President to do.

7 A lot of this, if I might just say for one moment, was included in legislation that I  
8 filed on behalf of many of my colleagues shortly after entering into the Iran Nuclear  
9 Agreement, both people who voted for and against the agreement, because we  
10 recognized that it was not the end of our relationship and problems with Iran by  
11 signing this agreement, and that there were other issues that we had to be focused on.  
12 And all of us agreed on that, and that is why I filed legislation back then.

13 We now know a lot more. And this bill surgically deals with those types of  
14 activities so that Iran understands that just because they entered into a nuclear  
15 agreement, we are not going to permit them to continue to support terrorism and  
16 threaten the stability of countries, that they cannot continue to violate human rights and  
17 ballistic missile tests. That is what this bill is aimed at.

18 It is the right role for Congress, and I urge my colleagues to support it.

19 **THE CHAIRMAN.** Any other senator wishing to speak to this issue?

20 **SENATOR MENENDEZ.** Mr. Chairman?

1           **THE CHAIRMAN.** Yes, sir.

2           **SENATOR MENENDEZ.** Very, very briefly. First of all, I want to thank you and the  
3 ranking member for all of the work that you both put into this along with myself and  
4 others who had concerns. And I appreciate all of the efforts to come to this moment.

5           I think Senator Cardin has laid out a pretty good list of why. I would just simply  
6 add that I know that there are colleagues who are concerned about anything we do with  
7 Iran because they are concerned that somehow it might infringe upon either the law,  
8 and I would say this very clearly, they have gone to great pains to make sure none of  
9 this affects the JCPOA, but even the spirit. But I would say the spirit of what I  
10 understood was that Iran was going to also move in a different direction, and that  
11 certainly has not happened.

12           So, I am not one to believe that we must refrain from engaging Iran on all of its  
13 other maligned activities simply on the altar of the JCPOA. I think that would be a big  
14 mistake.

15           Secondly, if President Rouhani's election is a reflection of the hopes and  
16 aspirations we have for the people of Iran, it is based upon the fact really that they want  
17 to see a better economy. And I think it gives him an opportunity to say to those in the  
18 country who have a different view, if we want to continue on a path of a better  
19 economy, they are going to have move away from all malign activities in order not to



1 face the very consequences that brought us to the table in the first place. And I think this  
2 bill does that.

3 None of this would go into effect if Iran just simply stops those malign activities  
4 on ballistic missiles, on terrorism, on destabilizing the region. And so, I appreciate all of  
5 the views. I have worked very hard to try to incorporate all of them, and I think we are  
6 at a good point in time. I appreciate the leadership of the committee and their support.

7 **THE CHAIRMAN.** Thank you. Anyone else?

8 **SENATOR RISCH.** Mr. Chairman?

9 **THE CHAIRMAN.** Yes, sir.

10 **SENATOR RISCH.** First of all, I am going to support this, but we should not have to  
11 do this. Every one of these should have been in the JCPOA. And if they were unwilling  
12 to do these kinds of things, we would have known, which a lot of us did know, that  
13 they were not acting in good faith.

14 These people are not people who want to get on the national -- on the  
15 international stage and take a place with the rest of the countries that want to see peace  
16 and harmony. These people do not want to do it, and they are showing it now. They  
17 never got off of it. The ink was not even dry on JCPOA and they were -- they were  
18 doing missile tests that violated the UN sanctions.

1           So, I mean, I am going to vote for this, but, again, everybody here is whistling  
2 Dixie if you think these kinds of things are going to bring these people to heel. We  
3 should have done it all at once or not at all. Thank you, Mr. Chairman.

4           **SENATOR KAINÉ.** Mr. Chairman?

5           **THE CHAIRMAN.** Anyone else? Yes.

6           **SENATOR KAINÉ.** I just want to clarify. "These people," that is a tough, tough  
7 phrase. I think we ought to be more specific. You can have concerns about policies,  
8 particularly leaders. We have got no beef with the Iranian people. We have got a beef  
9 with Iranian people.

10          **SENATOR RISCH.** And I -- and I apologize, Senator. I should have made that clear.  
11 It is the administration. I think -- I think the Iranian people have indicated over and over  
12 again that they do want to do what other nations do, but this -- the current regime will  
13 not let them.

14          **SENATOR YOUNG.** That is what I construed you to mean, Senator. I thought you  
15 meant leadership.

16          **THE CHAIRMAN.** Yeah, if I could, I actually think this legislation is very congruent  
17 with the will of the Iranian people themselves. And it is, in fact, the theocratic  
18 leadership that is conducting these malign activities, and I do not think that is what the  
19 Iranian people would like to see happen. So, I think we are actually supporting the good  
20 people of Iran who want to move in a very different direction by passing and pushing

1 back against the IRGC and others who are conducting these malign activities as part of  
2 the old revolution when that is not where the Iranian people really wish to go.

3 **SENATOR PAUL.** Could I just push back very briefly on that point?

4 **THE CHAIRMAN.** Yes.

5 **SENATOR PAUL.** Most of the Iranian-Americans who are in this country who came  
6 in 1979 who have had their land and property taken from them are opposed to this bill.  
7 The leadership of all the Iranian-American groups, their policy groups, are opposed to  
8 this, even though they had their land, even though they have great opposition to the  
9 Revolutionary Guard.

10 So, I think it is too much to characterize what the feelings of all the Iranian  
11 people are, because even from just the Iranian-Americans that I have met here, they are  
12 opposed to this bill. They are opposed to sanctions, and they are very supportive of the  
13 nuclear agreement.

14 **THE CHAIRMAN.** Anyone else wish to speak to this? There is an amendment to  
15 incorporate much of what Senator Menendez and Senator Cardin referred to relative to  
16 refinements to make the bill better. I know that Mr. Szubin had some comments, and we  
17 have tried to incorporate the constructive comments that he made. Some of them we did  
18 not agree with, but to try to make the bill better, we appreciated his input. Senator  
19 Murphy.

1           **SENATOR MURPHY.** Thank you, Mr. Chairman. I just want to make some general  
2 comments on the bill now as we move forward. I am going to support the bill with the  
3 amendment that is being offered. I thank the ranking member and Senator Menendez  
4 for working so hard to smooth out some of the edges of this.

5           I would just say that while I appreciate the representations of the leadership of  
6 this committee that in no way, shape, or form is this bill intended to undermine the  
7 JCPOA, there are people inside this Administration who want to unwind the JCPOA.  
8 And while this bill does not actually give the Administration new powers that they did  
9 not already have, I think the reticence that some of us have brought to this debate is due  
10 to the fact that we worry that this can be construed as a congressional creed  
11 endorsement of actions taken by this Administration that may not end up not being  
12 proportional to the threat posed by the Iranians that may have the intention of trying to  
13 unwind the JCPOA.

14           And I understand the Administration has also said up until their intention is to  
15 hold to it, but I know that that is a debate that is playing out in real time inside the  
16 Administration. I think we've -- I think we've made this bill much better to make sure  
17 that it does not violate the agreement in and of itself, but I would urge the  
18 Administration to take an abundance of caution in applying sanctions to make sure that  
19 it does not give an excuse for either party to walk away from the agreement.

1           Second, I just want to recognize that we do not have a comprehensive strategy to  
2 stop Iran from building up a nuclear weapons program, and an example is what  
3 happened earlier this week. Whatever you think about a sale to the Saudis in the  
4 neighborhood of \$110 billion, it has the effect of creating an arms race in the region  
5 whether we like it or not.

6           Those ballistic missiles inside Iran, they pose a threat to Israel, but they are  
7 primarily pointed at Saudi Arabia. And so, we have engaged in a record level of arms  
8 sales to the Saudis between the Obama administration and the Trump administration.  
9 And whether that is our intention or not, it has the effect of causing the Iranians to  
10 redouble their efforts to build their own missile programs. That is not an excuse, right?  
11 The UN has weighed in very clearly on this case, but it is a reality, and I just think that  
12 we have to have this debate in that context.

13           And finally, Mr. Chairman, you know many of us would much rather see a  
14 Russia sanctions bill before this bill now ahead of an Iran sanctions bill. It is still, I think,  
15 hard for some of us to understand, given the scope of the threat that the Russian  
16 interference in this election, that this committee has taken no action to hold Russia  
17 accountable for their interference in our election. I know there is a commitment to work  
18 on that moving forward, and I know we may have a chance to talk about it later. But  
19 that just gives many of us great pause as we move forward on this debate.

1           But I thank the authors for the amendments that they have made to this. I will  
2 support it given those caveats.

3           **THE CHAIRMAN.** Very good.

4           **SENATOR RUBIO.** Mr. Chairman?

5           **THE CHAIRMAN.** Yes, sir.

6           **SENATOR RUBIO.** My apologies, but I wanted to add my voice on this. Three  
7 points I would make. And the first is we keep hearing repeatedly that the JCPOA was  
8 only about the ability to enrich and re-process, that it did not involve missiles, and it did  
9 not involve any of these other things. But, in fact, the Iranian position is that it does. The  
10 position the Iranian regime has taken is any additional sanctions on missiles or anything  
11 else for that matter, they will consider to be a violation of the JCPOA, which is  
12 ridiculous.

13           And I would also add that there is only reason to have ballistic missiles, and  
14 really there is only one reason to have the kind of ballistic missiles they are trying to  
15 build, and that is to put a nuclear device on a warhead, or at least to prove that they  
16 could, and thereby wind up in the same position North Korea is in today, which is  
17 largely immune in many ways from some international pressure because they could  
18 blow you up.

19           And the difference between North Korea, and they are really bad, and Iran is  
20 Iran actually has expansionist views of sort of creating a Shia Crescent and a region of

1 influence, and North Korea just wants to survive. That does not excuse them. They are a  
2 terrible, horrible threat, but nevertheless, imagine that in the hands of these folks.

3         The second is I agree 100 percent. I want us to move against Russia. I would say  
4 to you that I know everybody -- a lot of people here are very concerned. I would say no  
5 one is more concerned than I have been, perhaps just as concerned, but no one is more  
6 concerned, and I have repeatedly talked about the threat of Russia.

7         I recall back in October in the midst of my reelection campaign, I was perhaps the  
8 only Republican candidate in the country -- maybe not -- perhaps one of the few who  
9 refused to talk about WikiLeaks because I said it was the work of a foreign intelligence  
10 agency, and I would not use it against Secretary Clinton or even against my opponent.

11         That said, that interference in our election is very -- it is a really big deal. I want  
12 us to address it. I think it is a major threat to our country, but not less of a threat or, I  
13 should say, not more of a threat than a ballistic missile that can reach the continental  
14 United States, which is what Iran is on pace to do.

15         And so, the idea that somehow we should be ignoring that, not to mention the  
16 sponsorship of international terrorism. It is not just the sponsorship of international  
17 terrorism. It is the sponsorship of proxies throughout the world with some level of  
18 deniability who could be activated at a moment's notice to attack and kill Americans  
19 and our allies.

1           And as far as the arms sale, and I know we are going to have further debate on  
2 that whether it is today or at another point. I would also say we cannot go around the  
3 world telling them on the one hand you must be responsible for more of your own  
4 defense against these sorts of threats, but on the other hand not to provide them with  
5 the weaponry they would need to address such a threat if presented.

6           So, ultimately, countries are going to turn to us and say either you provide us the  
7 mechanism which we can protect ourselves from this growing threat of Tehran and the  
8 Iranian regime, or we are going to go our own way, and we are going to out and  
9 purchase this on our own, and perhaps even develop our own native capability and  
10 reach an arms race that we have no role to play in.

11           So, I would just say that irrespective of how you feel about the JCPOA, we were  
12 told repeatedly by the Administration it did not -- Obama Administration this did not  
13 prevent us from targeting human rights, and ballistic missiles, and support of  
14 international terrorism. And the only people who would argue that this is in any way  
15 violates the JCPOA is Tehran, and they do not get to decide that because we were told  
16 that that is not what the deal included.

17           **THE CHAIRMAN.** Any other comments? Senator Coons.

18           **SENATOR COONS.** This is a balanced and well-crafted bill. We should move to a  
19 vote.

20           **THE CHAIRMAN.** Thank you.



1 [Laughter.]

2 **THE CHAIRMAN.** And as to the --

3 **SENATOR RUBIO.** That was exactly what I was going to say.

4 **THE CHAIRMAN.** As to the collection of comments, look, I appreciate the passions  
5 that people have. Just for what it is worth, I mean, I think our goals here are to generate  
6 outcomes that are good for our country. And I think the processes that we are going  
7 through and the steps we are going through with each of these is being done in a  
8 manner to actually generate an outcome. And we will take up the important issues that  
9 have been laid out, and we will do so in a manner to try to generate an outcome, not  
10 just to express passion, if you will.

11 First, I will entertain a motion to consider the substitute amendment by a voice  
12 vote.

13 **SENATOR CARDIN.** So moved.

14 **THE CHAIRMAN.** Is there a second?

15 **SENATOR MENENDEZ.** Second.

16 **THE CHAIRMAN.** So moved and seconded.

17 The question is on the motion to approve the manager's amendment.

18 All those in favor, say aye.

19 [A chorus of ayes.]

20 **THE CHAIRMAN.** Opposed?

1 [No response.]

2 **THE CHAIRMAN.** With that, the ayes have it, and the amendment is agreed to.

3 Are there any further amendments?

4 **SENATOR UDALL.** Yes. Mr. Corker -- Chairman Corker, I would call up Udall

5 Amendment Number 2. And I would ask also consent to put in my full statement

6 because I am going to shorten what I am going to say here with your permission.

7 **THE CHAIRMAN.** Without objection.

8 [Senator Udall's statement follows:]

**Statement Submitted by Senator Udall  
on S. 722 and the Udall Amendment**

9 Mr. Chairman, ranking member Cardin. I thank you for your well-  
10 intentioned effort to address some of the legal and technical concerns with  
11 compliance with the JCPOA. However, I still have concerns.

12 First, these changes fall short of addressing all of the necessary  
13 issues, particularly with regards to the designation of the IRGC as an  
14 entity for sanctions.

15 This has been proposed by several previous administrations, most  
16 recently by President Trump. But even the Trump administration, which  
17 has made many confrontational comments about Iran, has not made such  
18 a stark designation. And it already has the authority to do so under  
19 existing law, there is no need for legislation on the topic.

20 According to the Washington Post, this proposal was walked back  
21 after hearing concerns from defense and intelligence officials who believed  
22 that such a sweeping a designation...something we have never done

1 against a uniformed foreign military force of a sovereign nation...would  
2 have 2nd and 3rd order impacts on our regional goals, including putting  
3 troops at risk.

4 If there is a chance that we could be putting our troops at risk, I  
5 think we should be very careful about such a blanket designation.

6 And I would note that while this bill does not specifically label the  
7 IRGC a foreign terrorist organization, it all but accomplishes that through  
8 the sanctions that will be required under the bill. In Iran, this may be seen  
9 as a distinction without a difference.

10 I understand that there has been an interagency review of the bill,  
11 but at the very least, I think this committee should meet in closed session  
12 to hear the arguments from our defense experts regarding the impacts of  
13 such a move before we rubberstamp it in this committee today.

14 Until that time, I also believe that we can at least narrow the  
15 designation to something acceptable. I think there is no disagreement  
16 about the Quds force and their nefarious activities. So I have introduced  
17 an amendment to target this organization versus the entire IRGC.

18 Second, from a larger foreign policy perspective, I am concerned  
19 about the bill itself and its timing.

20 It has been noted that what we do at this Committee has an impact  
21 overseas. It sends a message. In this case, after Iran just had a historic  
22 election affirming their intention of abiding by the JCPOA, it implies that  
23 the United States may not be willing to keep up its end of the deal.

24 Never mind that the bill technically meets the requirements of the  
25 JCPOA.

26 That nuance could easily be lost on its opponents in Iran who may  
27 portray this as a sign that the U.S. is in violation. And forces within Iran

1 may then encourage their government to be more aggressive, risking  
2 escalation.

3 I do not believe that now is the right time to invite the risk of  
4 further tension and conflict in a region already exploding with bloody  
5 wars, many of which involve the U.S. to one extent or another.

6 In addition, I believe the committee's focus is in the wrong place.  
7 We should be concentrating on the country that has actively threatened  
8 the very fiber of our democratic institutions: Russia. Instead of sending a  
9 strong message to the Kremlin and passing a Russia sanctions bill -- and I  
10 applaud and support Senator Shaheen's amendment -- we are threatening  
11 a key arms control agreement.

12 As Ambassador Wendy Sherman said: "There's no real  
13 consequence to the bill. It's just really a way to say we're tough. Because  
14 we can under our existing laws and executive orders, designate virtually  
15 everybody who might be covered in this legislation. So why risk the  
16 JCPOA for a bill that does nothing that arguably could undermine the  
17 JCPOA?"

18 Iran's ballistic missile activity is a threat and deserves a response.  
19 But it has been, and likely will continue to be, sanctioned for that activity  
20 without this legislation.

21 This legislation is not needed to counter Iran, but it increases the  
22 risk that the Iran nuclear agreement could be undermined and therefore  
23 increases the risk to U.S. forces in the region.

24 That unbalanced trade-off is why I cannot support this bill as  
25 written today, but hope to work with other members to fix some glaring  
26 problems that could unnecessarily put our troops operating in the region  
27 at risk.

1           SENATOR UDALL. I concur with some of the comments that were made earlier. I  
2 have just a couple of general comments.

3           I believe that the JCPOA is threatened as a result of this bill. I think many of the  
4 officials that we respect very much -- Secretary Kerry, Ambassador Sherman, the people  
5 who were involved in the negotiations -- believe if -- and have issued statements and  
6 believe that this bill threatens the JCPOA. And the thing that they point out that I think  
7 is so strong is that under current law, everything in this bill can already be done. So, let  
8 us not pretend that we are moving forward with something that is that dramatic here.

9           This amendment that I am calling up deals with Section 5. Section 5 designates  
10 the Islamic Revolutionary Corp is a terrorist organization. This is Iran's main military  
11 force. We have never done this. This is unprecedented to take a main military force of a  
12 country and designate them as a terrorist organization. That provision of law has only  
13 been applied to non-state actors.

14           There have been some very, very serious issues that have been raised, Chairman  
15 Corker, in terms of defense and intelligence officials that have -- about this provision  
16 and designating the IRGC. They have said, among things, that this risks and endangers  
17 our troops in the region. They have said it undermines our fight against ISIS, and that it  
18 could lead to war with Iran. The one -- and most of this has been off the record.

19           And I would request that we bring these officials in and ask them about this,  
20 because the only official that I could find, Lieutenant General Robert Garr, that said

1 these same statements. He said them, and he is retired. I would like to hear from the  
2 officials who have said very specifically that they think these three things are at risk and  
3 this could have unintended consequences.

4 So, my amendment goes to this issue. What it does is instead of designating the  
5 IRGC, it targets the Quds Force, and everybody knows here what they do and their  
6 illicit activities. And so, I would first ask that we hear from defense officials about what  
7 the impact would be of designating the Islamic Revolutionary Guard Corps, and I  
8 would offer the amendment. And that is my statement.

9 **THE CHAIRMAN.** If I could.

10 **SENATOR UDALL.** Yeah, please.

11 **THE CHAIRMAN.** The bill does not name the IRGC as a terrorist organization. It  
12 does not do that. It applies terrorist sanctions against them.

13 **SENATOR UDALL.** Right.

14 **THE CHAIRMAN.** That is an important distinction. And to limit the sanctions only  
15 to the Quds Force would eliminate all the nefarious activities that the IRGC carries out  
16 through multiple subsidiaries that are beyond just the Quds Force.

17 So, I oppose the amendment. I appreciate obviously, as always, your point of  
18 view, and I would be glad to listen to other comments. But just for the record, we do not  
19 name them as a terrorist organization.

20 **SENATOR RISCH.** Mr. Chairman? Would my good friend yield to an inquiry?

1           **SENATOR UDALL.** Of course.

2           **SENATOR RISCH.** When we had this argument about the JCPOA, as you recall, it  
3 was spirited. There were -- there were a lot of strong feelings on it. We had long  
4 hearings and robust hearings. We had both Wendy Sherman and then Secretary of State  
5 in here.

6           And there were a lot of us that were very critical of the negotiations and the fact  
7 that they left on the table the issues of supporting terrorism, of missile testing, of human  
8 rights, and a lot of other things. And they assured us -- they absolutely assured us, do  
9 not worry about that. You guys can do whatever you want. This is only -- we dealt with  
10 only the nuclear aspects of this. Do not worry about a thing.

11           And a lot of us said, look, these guys are not going to change their ways, and the  
12 only way we are going to do this, we are going to have to re-impose the sanctions. And  
13 they said this only deals with the nuclear. So, have they not changed their position on  
14 what they told us in the committee?

15           **SENATOR UDALL.** No, I do not think they have changed their position. I think  
16 what has happened here, and I think they were very straightforward, the officials that  
17 came before this committee. They told us that this was targeted at preventing Iran from  
18 getting a nuclear weapon, very targeted. They did not in any way make representations  
19 about that this was going to solve all the other problems that was Iran was causing in  
20 the region.

1           And so, I think to keep shifting over to the rest of these problems, we have  
2   solved a big problem in terms of Iran getting the nuclear weapon. We should recognize  
3   that. We should protect it. We should not threaten it. And that is what we are doing  
4   today by moving this bill. And we are not even hearing from our defense officials who  
5   believe that this designation could hurt our troops on the ground in the region.

6           Let us not forget, in Iraq there are militias that are fighting with us to take over  
7   Mosul, and there are Iranian troops there working with those militias. This designation,  
8   I believe this is what they are talking about is that we -- this could cause us a serious  
9   problem, so.

10          **SENATOR RISCH.** Again --

11          **SENATOR UDALL.** I do not -- you know, I think I have answered your question. I  
12   do not want to prolong this for all the other members, but if you -- if you have  
13   additional questions. I just -- I believe this designation here is a real problem, and I think  
14   we should -- I think we should really tone it down.

15          I had another amendment that I am probably not going to offer, depending on  
16   how this one comes out. I do not know, Senator Corker, whether you are willing to  
17   accept it or not. But it says -- it uses language where appropriate -- appropriate -- parts  
18   of the Revolutionary Guard. And if you are willing to accept that, then, you know, we  
19   do not need it. I think that would go a ways to help this.



1           And I just want to say also, as this has moved along, I think there have been  
2 other serious problems with this which have been resolved and have moved forward,  
3 and there has been a very constructive effort on your part and on Senator Cardin's part.

4           **THE CHAIRMAN.** Thank you. Does anyone else wish to speak? Senator Menendez.

5           **SENATOR MENENDEZ.** Just very briefly. I would say to my friend and colleague, if,  
6 in fact, we took the IRGC and designated them as a foreign terrorist organization, I  
7 would agree with you, but we do not do that in this bill. Such a designation would have  
8 not only have specific language and statutory references, but consequences of  
9 designating it as a foreign terrorist organization would be far beyond those which are  
10 included in this bill.

11           So, I have heard from our military and intelligence leaders as well about having  
12 any entity in the world that is a military entity designated as a foreign terrorist  
13 organization, and we observed that, and that is why we did not do that in this bill.  
14 However, the reason that we addressed the IRGC in its entirety as it relates to the  
15 sanctions applicable here is because while we focus on the Quds Force, the reality is that  
16 the, as we say in the bill, that the IRGC is the primary arm of the government of the Iran  
17 for executing its policies supporting terrorists and insurgent groups.

18           And while the Quds Force provides material logistical assistance, training,  
19 financial support, and other elements, it is the IRGC that at the end of the day is  
20 responsible for implementing Iran's international program and destabilizing activities.

1           So, I agree with you, if we had designated this a foreign terrorist organization,  
2 then I would be in not only sympathy with you, I would actually support it. But that is  
3 not what we do. So, I think that since they are an arm that clearly pursues Iran's  
4 international issues, that to the extent that they are committing any of these acts, they  
5 should be subjected to it, which are less than they would have an FTO.

6           **THE CHAIRMAN.** Would you accept a voice vote?

7           **SENATOR UDALL.** Sure, unless somebody else wants a recorded vote on this.

8           **THE CHAIRMAN.** All in favor of the Udall amendment, signify by saying aye.

9           [A chorus of ayes.]

10          **THE CHAIRMAN.** All opposed?

11          [A chorus of nays.]

12          **THE CHAIRMAN.** The noes have it.

13          **SENATOR UDALL.** I am going to ask for a recorded vote.

14          [Laughter.]

15          **THE CHAIRMAN.** Huh?

16          **SENATOR UDALL.** I am going to ask for a recorded vote.

17          **THE CHAIRMAN.** You want a recorded vote?

18          **SENATOR UDALL.** Yeah.

19          **THE CHAIRMAN.** Okay. The clerk will call the roll.

20          **THE CLERK.** Mr. Risch?

1           **SENATOR RISCH.** No.

2           **THE CLERK.** Mr. Rubio?

3           **SENATOR RUBIO.** No.

4           **THE CLERK.** Mr. Johnson?

5           **THE CHAIRMAN.** No by proxy.

6           **THE CLERK.** Mr. Flake?

7           **SENATOR FLAKE.** No.

8           **THE CLERK.** Mr. Gardner?

9           **THE CHAIRMAN.** No by proxy.

10          **THE CLERK.** Mr. Young?

11          **SENATOR YOUNG.** No.

12          **THE CLERK.** Mr. Barrasso?

13          **THE CHAIRMAN.** No by proxy.

14          **THE CLERK.** Mr. Isakson?

15          **THE CHAIRMAN.** No by proxy.

16          **THE CLERK.** Mr. Portman?

17          **THE CHAIRMAN.** No by proxy.

18          **THE CLERK.** Mr. Paul?

19          **SENATOR PAUL.** Yes.

20          **THE CLERK.** Mr. Cardin?

1           **SENATOR CARDIN.** No.

2           **THE CLERK.** Mr. Menendez?

3           **SENATOR MENENDEZ.** No.

4           **THE CLERK.** Mrs. Shaheen?

5           **SENATOR SHAHEEN.** No.

6           **THE CLERK.** Mr. Coons?

7           **SENATOR CARDIN.** No by proxy.

8           **THE CLERK.** Mr. Udall?

9           **SENATOR UDALL.** Aye.

10          **THE CLERK.** Mr. Murphy?

11          **SENATOR MURPHY.** Aye.

12          **THE CLERK.** Mr. Kaine?

13          **SENATOR KAINE.** No.

14          **THE CLERK.** Mr. Markey?

15          **SENATOR MARKEY.** No.

16          **THE CLERK.** Mr. Merkley?

17          **SENATOR MERKLEY.** Aye.

18          **THE CLERK.** Mr. Booker?

19          **SENATOR BOOKER.** No.

20          **THE CLERK.** Mr. Chairman?

1           **THE CHAIRMAN.** No. The clerk will report.

2           **THE CLERK.** Mr. Chairman, the noes are 17, the yeas are four.

3           **VOICE.** Mr. Barrasso wants to be recorded aye.

4           **THE CHAIRMAN.** Do you want to be recorded aye, Senator Barrasso? I mean, no?

5           [Laughter.]

6           **SENATOR CARDIN.** Senator Barrasso, you are going with me.

7           [Laughter.]

8           **THE CHAIRMAN.** Senator Barrasso will be recorded as a no.

9           **SENATOR CARDIN.** Often, but not on this particular one.

10          [Laughter.]

11          **THE CHAIRMAN.** Well, listen, thank you. I value obviously your opinions. As far  
12 as the accepting Udall 1, begrudgingly no. So, I do not know if you want to propose it  
13 or --

14          **SENATOR UDALL.** No, no, I'm --

15          **THE CHAIRMAN.** Are there any other amendments? Yes, Senator Paul.

16          **SENATOR PAUL.** It has been said in the debate so far that we do not care what  
17 Tehran thinks, and if Tehran thinks that this is an abrogation of the nuclear agreement,  
18 we just do not care. Well, think about that statement. If we do not care what they think,  
19 are we not trying to influence their behavior?

1           And if they react in one way and they say we are going to get out of the nuclear  
2 agreement, I would think that would be a pretty important and dramatic step. I am not  
3 saying they will. They might, though, and we ought to have at least have thought  
4 through that and at least understand that while we do not agree with their opinion or  
5 value their opinion, we do care about it because that is what we are trying to change.  
6 That is what trying to change is their opinion on their ballistic missile program.

7           As I read through the sanctions, you know, there are several areas. And I read  
8 through, and I will just tell you what my first thought was, that every one of these areas  
9 of sanctions could equally apply to Saudi Arabia. As we look at the ballistic missile  
10 section, we see that Saudi Arabia has Dong Feng-3s and -21s. Where are they pointed?  
11 Tel Aviv and Tehran. Are these nuclear capable missiles? Yeah.

12           Our CIA inspected the DF-21s and said they are not currently. But are they  
13 convertible? Are they nuclear capable? Yeah, they are nuclear capable and pointed at  
14 Israel and Tehran.

15           So, if we are thinking about, you know, with ballistic missiles we want to  
16 influence the behavior of Iran, one, we would have to understand that we do have to  
17 care about what they think. We do not have to agree with it, but we have to care about  
18 what they think, whether these sanctions will have effect.

19           I think being unilateral, and Iran has already stated they will, in fact, they will  
20 continue, because I think what Iran sees as overriding is really not what we think. We

1 think that the whole world sees everything through our lens. Iran sees much more  
2 important what Saudi Arabia does than what we do or what our sanctions say, frankly.

3       And if the whole world were on these sanctions they might consider them, and I  
4 think the worldwide sanctions did influence their behavior, that and the carrot of giving  
5 them back some of their money. But I do not think these will have any effect.

6       I think that if you really, really wanted to get rid of their ballistic missiles  
7 program, we should look at who else in the region do they perceive as a threat. I do not  
8 think they really perceive us as a threat. We have thousands of ballistic missiles, so --  
9 but I do think they see Saudi Arabia as a threat in the Gulf sheikdoms, and they have  
10 hundreds of missiles. They see Israel as a threat who has nuclear weapons as well.

11       So, I think really if you wanted to influence the behavior of Iran, you would  
12 include Saudi Arabia in this, too. Let us have sanctions on both on ballistic missiles, and  
13 let us say we will remove them when you come to the table to discuss reducing your  
14 armaments. Another way of doing it, I think Senator Murphy alluded to, was we  
15 offering \$350 billion worth of new weapons and missiles to Saudi Arabia. Perhaps you  
16 could say we are going to withhold that offer until we, you know, see if we can get  
17 Saudi Arabia to come to the table.

18       But it is my belief, and it just an opinion, that Iran will never quit developing  
19 ballistic missiles unless there is an agreement with Saudi Arabia and/or the rest of the

1 Gulf kingdoms. And so really, I think this is a fool's errand, and I know it is well  
2 intentioned, but I think it is a fool errand, and it will not work.

3 I also think it may have a counterproductive effect in that they may decide that  
4 the nuclear agreement is something-- and if they pull out of the nuclear agreement, I  
5 think we will really, really regret this.

6 With the second area that I was struck that it would be-- with regard to  
7 terrorism, that it might apply to Saudi Arabia as well, I was struck by two comments.  
8 And one of these is from Hillary Clinton's email to John Podesta where she says, "We  
9 need to use our diplomatic and more traditional intelligence assets to bring pressure on  
10 the governments Qatar and Saudi Arabia, which are providing clandestine, financial,  
11 and logistical support to ISIL and other radical Sunni groups in the region."

12 So, I do not disagree that Iran has got their hands in everything in the Middle  
13 East, but does Saudi Arabia. I am just not so sure which is worse. I think they both have  
14 a lot, and, in fact, I think there is a strong argument for saying that internationally Saudi  
15 Arabia is more of a menace than Iran as far as promoting hatred of America and  
16 promoting teachings of hatred of America. Saudi Arabia is everywhere.

17 So, with regard to terrorism, I think another statement from another authority I  
18 think bears as well. Senator Bob Graham said that, "The ties between the Saudi Arabian  
19 government and 9/11 are so multiple, and strong, and reinforcing, that it is hard to come  
20 from reading all this material, the 28 pages and all other supporting material, and not



1 feel that there is a support network, and that the support network came from Saudi  
2 Arabia."

3 This has been questioned by a lot of people. I cannot prove that it was, but there  
4 is certainly a lot of circumstantial evidence implicating Saudi Arabia in 9/11, the worst  
5 terrorist attack ever to happen here. And yet we are fixated on Iran, and we do not  
6 understand that much of what Iran does is in response to Saudi Arabia, or vice versa. I  
7 do not know who started it first, but they definitely are in relation to each other.

8 With regard to human rights abuses, I do not question that, you know, Iran is  
9 involved in human rights abuses, but anybody tried to go to church in Saudi Arabia  
10 lately or a synagogue? You know, anybody try to bring a Bible in? Do you remember  
11 when our troops were there and they could not bring a Bible into Saudi Arabia?

12 Anybody aware of a young man by the name of Ali Al-Nimr? He was arrested, I  
13 think, 5 years ago, and he is on death row, but their death row is a little different than  
14 ours. You get beheaded and then crucified. I am not sure which happens first, but you  
15 get both. You get beheaded and crucified. That is what he is up for.

16 Might it happen? Well, his uncle was executed. His uncle was a Shia cleric. And  
17 there are over -- I think there are over 20 people being held currently on death row for  
18 protests, for expressing their opinion. So, in Saudi Arabia you do not have the right to  
19 associate. You do not have the right to speak your opinion. Women have virtually no  
20 rights.

1           If we are talking about human rights abuses, the girl of Qatif was a 17-year-old  
2 woman, and she was raped by seven men. She was arrested by the Saudi Arabian  
3 government and given 70 lashes because it was obviously her fault for being in the  
4 wrong place and being alone with an unmarried man.

5           So, as you look through this, there is equal argument really for Saudi Arabia  
6 being included in this. There is also the argument that if you were to say this is a two-  
7 sided conflict and not just a one-sided conflict, and Iran is wrong on everything and  
8 Saudi Arabia is not, that maybe if we realize that it is a two-sided arms race there, that if  
9 you were putting pressure on Saudi Arabia maybe by not selling arms to them, perhaps  
10 we would have some influence. Perhaps would come to the negotiating table, and  
11 instead of new sanctions, we would be talking about a new agreement.

12           Matter of fact, that is where I would prefer we were today. I think as much as I  
13 was not a great fan of the nuclear agreement, I thought if they adhered to it, it would be  
14 a good thing. And so far, they do appear to be adhering to the nuclear agreement. They  
15 do not adhere to the ballistic agreement, and they will never negotiate, and this is not a  
16 prediction. They will never negotiate on it unless you brought Saudi Arabia and the  
17 Gulf sheikdoms to the table, and I think that would be a better place for us to be.

18           But I just think it is important in doing this that we put things in context, and  
19 realize that this perhaps does not work, and that if you do want this, if you truly,

1 sincerely want them to stop their ballistic missile system, that it is going to need some  
2 kind of bigger dialogue, including all the Gulf sheikdoms.

3 And with that, I think the likelihood of my amendment passing is pretty small,  
4 so I am going to withdraw it

5 **THE CHAIRMAN.** Are there any other amendments?

6 [No response.]

7 **THE CHAIRMAN.** Is there a motion to approve the legislation, as amended?

8 **SENATOR CARDIN.** So moved.

9 **THE CHAIRMAN.** Is there a second?

10 **SENATOR RISCH.** Second.

11 **THE CHAIRMAN.** So moved and seconded. The question is on the motion to  
12 approve S. 722, as amended.

13 **SENATOR CARDIN.** Could we just do a recorded vote?

14 **THE CHAIRMAN.** Recorded vote? The clerk will call the roll.

15 **THE CLERK.** Mr. Risch?

16 **SENATOR RISCH.** Aye.

17 **THE CLERK.** Mr. Rubio?

18 **SENATOR RUBIO.** Aye.

19 **THE CLERK.** Mr. Johnson?

20 **THE CHAIRMAN.** Aye by proxy.

1 THE CLERK. Mr. Flake?  
2 SENATOR FLAKE. Aye.  
3 THE CLERK. Mr. Gardner?  
4 THE CHAIRMAN. Aye by proxy.  
5 THE CLERK. Mr. Young?  
6 SENATOR YOUNG. Aye.  
7 THE CLERK. Mr. Barrasso?  
8 SENATOR BARRASSO. Aye.  
9 THE CLERK. Mr. Isakson?  
10 THE CHAIRMAN. Aye by proxy.  
11 THE CLERK. Mr. Portman?  
12 THE CHAIRMAN. Aye by proxy.  
13 THE CLERK. Mr. Paul?  
14 SENATOR PAUL. No.  
15 THE CLERK. Mr. Cardin?  
16 SENATOR CARDIN. Aye.  
17 THE CLERK. Mr. Menendez?  
18 SENATOR MENENDEZ. Aye.  
19 THE CLERK. Mrs. Shaheen?  
20 SENATOR SHAHEEN. Aye.

1 THE CLERK. Mr. Coons?

2 SENATOR CARDIN. Aye by proxy.

3 THE CLERK. Mr. Udall?

4 SENATOR UDALL. No.

5 THE CLERK. Mr. Murphy?

6 SENATOR MURPHY. Aye.

7 THE CLERK. Mr. Kaine?

8 SENATOR KAINE. Aye.

9 THE CLERK. Mr. Markey?

10 SENATOR MARKEY. Aye.

11 THE CLERK. Mr. Merkley?

12 SENATOR MERKLEY. No.

13 THE CLERK. Mr. Booker?

14 SENATOR BOOKER. Aye.

15 THE CLERK. Mr. Chairman?

16 THE CHAIRMAN. Aye. The clerk will report.

17 THE CLERK. Mr. Chairman, the yeas are 18, the noes are three.

18 THE CHAIRMAN. Thank you. The legislation, as amended, is agreed to.

1           Next, we will consider S. 1221, Countering Russian Influence in Europe and  
2 Eurasia Act of 2017. Senator Cardin, would you or any other member wish to speak to  
3 this?

4           **SENATOR CARDIN.** Mr. Chairman, I did allude to this a little bit earlier in my  
5 remarks in regards to the Russian sanctions and Russia's actions. I have already gone  
6 through the activities that Russia has participated in compromising our democratic  
7 institutions in the United States and in Europe. They directly interfered in Montenegro  
8 and France. We are worried about what they are going to do in Germany. We do know  
9 about their aggressive campaigning on propaganda, and what they are trying to do in  
10 bringing down democratic institutions.

11           This was included in the legislation I filed earlier this year with 10 Democrats  
12 and 10 Republicans. We have worked together to come up with a bill that I believe is a  
13 fair compromise. It is a strong bill. It bolsters our cyber defense with Europe. It helps  
14 fight corruption, it helps civil societies, and it counters Russia's propaganda with the  
15 use of media.

16           I want to thank Senator Coons for his co-sponsorship on this bill, and I also want  
17 to acknowledge the help of many other members of this committee.

18           **SENATOR PAUL.** Mr. Chairman?

19           **THE CHAIRMAN.** Senator Paul?

1           SENATOR PAUL. You know, I was struck by a similar point in reading this as  
2 well. If you look at the findings of all the things that Russia has done wrong, I do not  
3 disagree with any of them. They in all likelihood have done all of these things. But if  
4 you replace the word "Russia" for "China," China would fit in every paragraph, and yet  
5 we do not sanction China.

6           One, they are a great trading partner of ours. Two, we kind of want their help.  
7 And if you want someone self-sanctioning, it makes probably less likely they will help  
8 you. It does not mean that we acquiesce into what they do. I think we can condemn  
9 what they do. But I think sanctions probably does not make it more likely to get peace  
10 in the Middle East.

11           I do think, and the Obama Administration said this and others have said this. In  
12 fact, many people on both sides of the aisle have said the ultimate peace in Syria is  
13 going to be a negotiated peace, and you will not be able to eliminate one side or the  
14 other ever. But Russia is going to be a part of that peace whether we like it or not, so do  
15 these sanctions make it more or less likely that Russia will be helpful in peace in the  
16 Middle East?

17           I agree with the chairman's assessment. They probably have not changed their  
18 behavior necessarily in Syria, but they are also not going anywhere. They have a naval  
19 base there. They have been there 50 years. And unless we want to sanction all of the

1 human rights abusers in the world and include them, you know, if we would like to add  
2 China to this and, you know, maybe 2 dozen other countries.

3 But, and we have had this debate with Tillerson's comments about realism versus  
4 what we do, you know, whether our job is to condemn every atrocity in the world, or  
5 our job is to try to do what we can to make it a better world, but at the time realizing we  
6 are stuck with the world as it is and with the players.

7 But I once again with this do not think that it will modify their behavior, and  
8 actually probably will lead to a less likelihood that we get their cooperation in the near  
9 future with finding peace in Syria.

10 **SENATOR CARDIN.** Mr. Chairman, if I could, let me just clarify.

11 **THE CHAIRMAN.** Yeah.

12 **SENATOR CARDIN.** I disagree with Senator Paul in regards to the effectiveness of  
13 sanctions, and we do have global sanctions under Magnitsky for human rights. The bill  
14 that we are working on now does not deal with the sanctions. That is going to be a bill  
15 we are going to bring up at the next work period. This bill deals with protecting  
16 ourselves and our European allies. So, it does not deal with additional sanctions against  
17 Russia.

18 **THE CHAIRMAN.** Senator Rubio.

19 **SENATOR RUBIO.** Thank you, Mr. Chairman. And I agree with Senator Paul on the  
20 China concern. Obviously they, in addition to being involved in, you know, traditional



1 efforts of a nation-state, are deeply involved in commercial espionage and the like  
2 against this country, and I hope we will address that, too. They are not mutually  
3 exclusive.

4 That said, the fundamental difference, I believe, is the growing body of evidence,  
5 and I encourage my colleagues to sit tight as the Intelligence Committee continues to  
6 work. And when our work is done, the full extent of Russian active measures, not just to  
7 interfere in elections, but to undermine confidence and integrity of our democratic  
8 system is breathtaking. And I think when the American people have a full  
9 understanding of it, there will be demands for further action.

10 And so, one of the things I want to make the point, and I heard you say, Mr.  
11 Chairman, is that what we are taking today by no means precludes that additional step  
12 down the road.

13 **THE CHAIRMAN.** No.

14 **SENATOR RUBIO.** Because oftentimes in this process, once you try to come back  
15 and do it again the second time, people say, well, we just dealt with that before, why are  
16 going to back and do another Russia bill? And I was pleased to hear that.

17 And the third is the point that Senator Cardin just made, and that is this is  
18 largely -- these are not sanctions. This is positioning ourselves to protect ourselves and  
19 our allies from these measures that are being taken to interfere with the democratic

1 process and to undermine it, and to sow instability and chaos, which speaks itself in  
2 terms of what we have seen over the last few months and around the world.

3 So, I think that is important to understand. This is not sanctions, although many  
4 of us wish it were. This is a defensive measure that protects us and positions us to  
5 address this because this is not going to stop.

6 **SENATOR SHAHEEN.** Mr. Chairman?

7 **THE CHAIRMAN.** And thanks for your leadership. Senator Shaheen.

8 **SENATOR SHAHEEN.** Mr. Chairman, I offered the sanctions portion in Titles 1 and  
9 2 of the original bill that was co-authored by Senators Cardin and McCain, both on this  
10 bill and the Iran sanctions bill. And I did that because I believe that Russia poses a very  
11 direct threat to our national security and to the stability of the transatlantic alliance.

12 Now, it has been almost a year since we got the first reports that Russia was  
13 beginning to interfere in our elections. Back in September of last year, I called for a  
14 hearing in this committee. We did not hold that hearing until February of this year.

15 We heard from all 17 intelligence agencies that Russia interfered in our elections  
16 in 2016, and it was not just about that interference and what the outcome of those  
17 elections were. It was an effort to undermine confidence in elections in our democracy,  
18 and that they were doing it in Europe. As Senator Cardin said, in Montenegro they  
19 engineered -- almost engineered a coup.

20 **THE CHAIRMAN.** Right.

1           **SENATOR SHAHEEN.** We saw it in the French elections. We are seeing it in the  
2 German elections. We saw it in the Danish elections. And this is part a bigger strategy.  
3 And I have sat through hearing after hearing in the Armed Services Committee, in this  
4 committee, and the Appropriations Committee where we have heard from expert after  
5 expert about what the impact is of failing to address Russia's efforts to undermine our  
6 elections and interfere in our democracy.

7           And I just want to read through a list of these folks. General Breedlove testified  
8 before this committee. He is the former NATO supreme allied commander in Europe.  
9 Former DNI director, James Clapper, testified before SAS and before Judiciary in the  
10 Senate. Both of those hearings were in May. Former EUCOM commander, Admiral  
11 Stavridis testified before SAS.

12           Current EU commander, General Curtis Scaparrotti, testified before SAS in  
13 March. Former FBI Director Comey testified before the House Intelligence Committee.  
14 Former acting AG, Sally Yates, testified before the Judiciary Committee. NSA director,  
15 Admiral Rogers, who is head of U.S. Cyber Command, testified before SAS. And then  
16 this week, DNI director, Dan Coats, and DIA director, General Vincent Stewart, both  
17 testified before SAS.

18           And the testimony which I would like to introduce for the record, Mr.  
19 Chairman\_\_

20           **THE CHAIRMAN.** Without objection.

[See page 86 for the information referred to above.]

1           SENATOR SHAHEEN [continuing]. Was essentially the same. It was about the threat  
2 that Russia poses, and the fact that they will do it again and again and again if we do  
3 not take action against them.

4           And I would like to read, if I could, Mr. Chairman, for the record a statement by  
5 Dr. Robert Kagan, who came before the Senate Armed Services Committee last  
6 December and talked about this. And he said, I quote, "On the question of Russia  
7 interference in the most recent American presidential election, some may not view this  
8 as a strategic and national security matter, but it is. Russia interference in Western  
9 democratic political process has become a major element of Moscow's strategy to  
10 disrupt, divide, and demoralize the West.

11           "The tactics that was recently employed in the United States is already used in  
12 elections and referendums across Europe, including most recently in Italy, and will be  
13 likely used again in France," which we have seen, "and in Germany," which we are  
14 seeing already. "For the United States to ignore this Russian tactic, and particularly now  
15 that it has been deployed against the United States, is to cede to Moscow a powerful  
16 tool of modern geopolitical warfare."

17           Now, I just think if we continue to fail to act, it sends a message not just to  
18 Russia, but to North Korea, to China, to all of those who would try and do the same  
19 thing to undermine our democracy that, go ahead, you can interfere. You can do

1 whatever you want because we are not going to take action. Well, it is time for us to  
2 take action.

3 Mr. Chairman, I appreciate the fact that you have committed in the next work  
4 period to mark up the original Cardin-McCain legislation, and to work to bring that --

5 **THE CHAIRMAN.** I committed to mark-up Russia sanctions legislation in the event  
6 -- the probable event -- that the Secretary of State cannot demonstrably show us that  
7 there is a change in the trajectory in Russia, and we will do that early on. And that is  
8 what I have committed to.

9 And for a committee that prides itself on diplomacy, that is trying to protect the  
10 budget at the State Department from cuts, that believes that in solving our world's  
11 problems, we want an outcome, and we are going to use diplomacy to do so. We have  
12 agreed to give a new Secretary of State a few weeks to try to work this issue through,  
13 and to me that is appropriate with the standing of this committee and our whole  
14 objective.

15 So, that is what I have agreed to do. It has been a year, and it seems to me to give  
16 the Secretary of State a few weeks to see if he can change that trajectory in Syria is an  
17 appropriate thing for this committee to do. And as you know, with the women's bill, the  
18 Women's Peace and Security bill we are getting ready to bring up, I keep my word, and  
19 you know that. And everybody on this committee knows that.

1           So, unless, and he has got his representative here -- Mary -- unless Tillerson  
2 comes in and demonstrably can show us that Russia trajectory is changing, and I do not  
3 think he will be able to based on the intelligence I have read, we are going to move  
4 ahead with a Russia sanctions bill during this next work period.

5           **SENATOR SHAHEEN.** Well, as I said yesterday in our discussion, I appreciated  
6 your consideration of that, and I think it is very important because I believe we are  
7 under continuous threat. And as we have heard from multiple experts, they are going to  
8 look at our 2018 elections. They are going to look at 2020. They are going to look  
9 beyond. And it has a significant impact on the confidence that Americans have in our  
10 elections, and that undermines our democracy.

11           So, I -- as I said, I am not going to offer my amendment today, but I hope to be  
12 able to see this committee take action during the next work period to address this issue.

13           **THE CHAIRMAN.** Thank you for your advocacy, and thank you for withdrawing  
14 your amendment.

15           I believe we do have some other amendments to be offered.

16           **SENATOR BARRASSO.** Mr. Chairman, I would like to call up Barrasso Amendment  
17 Number 1, and the Barrasso-Murphy 2nd Degree Amendment if this is the appropriate  
18 time.

19           **THE CHAIRMAN.** Absolutely.

1           **SENATOR BARRASSO.** First of all, I want to thank you, and I want to thank Senator  
2 Cardin. I want to thank Senator Murphy as well as Senator Markey for working with  
3 me on this topic. The amendment requires the State Department to work with the  
4 government of Ukraine to develop a plan to increase energy security in Ukraine, to  
5 increase the amount of energy produced in Ukraine, and to reduce Ukraine's energy  
6 imports from Russia. The amendment provides assistance to Ukraine to implement  
7 strategies for market liberalization, for effective regulation and oversight, for supply  
8 diversification and energy reliability, as well as energy efficiency.

9           The second-degree amendment adds a critical provision to support efforts to  
10 countries in Europe and Eurasia to decrease their dependence on Russian sources of  
11 energy. It also ensures the plan for Ukraine includes a strategy to include building  
12 energy efficiency and other measures designed to reduce energy demand in Ukraine.

13           The committee is marking up this piece of legislation today. We all know Russia  
14 continues to use its energy sector as a weapon to intimidate and influence, and worse,  
15 other nations. Over the years, Ukraine has lived with Russia repeatedly cutting its  
16 natural gas supplies, and it is time to act on this. So, I appreciate the consideration of  
17 this second-degree amendment as well as Barrasso Amendment Number 1.

18           **THE CHAIRMAN.** And I think we are trying to bulk some amendments together,  
19 including the Risch Amendment Number 1. Do you want to speak to that, or do you  
20 want to just --

1           **SENATOR RISCH.** No, I will speak to that very briefly, Mr. Chairman. First of all,  
2 let me join with Senator Rubio in urging everyone that -- to be patient while the Intel  
3 Committee works on the report that we are working on. And we will -- we are doing an  
4 active and robust effort to produce a report that will define what the active measures  
5 were that the Russians took in our last elections.

6           And I can tell you, it is a very bipartisan effort. Chairman Burr and Senator  
7 Warner are at this, I think, full time. The amount of documents that we have looked at is  
8 overwhelming. We are in the process of interviewing people, and I think we are going  
9 to have a report that will be -- that will generate great confidence in this body as to that  
10 particular item.

11           My amendment simply spreads this a little bit over to the European issue. The  
12 Russians are doing the exact same thing in Europe and have been some time. Our study  
13 in the Intelligence Committee is not going to necessarily going to delve into that very  
14 deeply, if at all, and I think it is important that we look at what they are doing with our  
15 allies, our partners, other democratic nations. And a lot of it is not even very covert. A  
16 lot of it is very overt.

17           But what this simply does is ask the President through the State Department to  
18 produce a report that will focus on and complement what we are doing as far as here in  
19 the United States. Thank you, Mr. Chairman.

20           **THE CHAIRMAN.** Senator Murphy, did you want to speak to this? Senator Cardin?



1           **SENATOR CARDIN.** I just really want to thank Senator Barrasso and Senator  
2 Murphy with the second-degree amendment, to Senator Barrasso. This amendment  
3 strengthens the bill in regards to regional energy security concerns, and I want to thank  
4 both of them. And I support also the Risch amendment.

5           **THE CHAIRMAN.** Without further discussion, what I would like to do is entertain  
6 a motion for an en bloc voice vote of the Barrasso Amendment Number 1, modified by  
7 the Barrasso-Murphy Amendment Second Degree to Barrasso Number 1, as well as the  
8 Risch Amendment Number 1.

9           **SENATOR CARDIN.** So moved.

10          **SENATOR MARKEY.** Mr. Chairman?

11          **THE CHAIRMAN.** Yes, sir.

12          **SENATOR MARKEY.** May I just speak briefly --

13          **THE CHAIRMAN.** Yes.

14          **SENATOR MARKEY.** -- to a point which Senator Barrasso was making because I  
15 think is an important area for us to work on and to talk about. And, again, we just keep  
16 coming back to this point that the Ukraine is the second least energy efficient country in  
17 the world. It only beats Uzbekistan. That is it.

18                 So, it is clear that if the Ukraine could just reach Poland's -- not Germany's level  
19 of energy efficiency, but Poland's, it would back out all of the natural gas imports. So, to  
20 the extent to which, you know, we see a problem, it is an addiction. They were given the

1 addiction by low-cost Russian energy for generations, so its infrastructure, its whole  
2 way doing of business is all reflected in that.

3 But at its heart it is an energy efficiency problem they have in the country. They  
4 do not have to, you know, reach American or German standards, okay, just Polish. So,  
5 that is what really what we should be encouraging them more than anything to do, and  
6 to telescope the timeframe that it takes for them to get there. We did it in our country  
7 after the two 1970s oil embargos. We had to change our behavior. When it went from 30  
8 cents a gallon to 60 cents a gallon in 1974, and then when it went up from 60 cents a  
9 gallon to a buck twenty after the Iranian embargo, we changed. We changed  
10 dramatically.

11 So, they are going to have to do the same thing, and the more they do it is the  
12 more we just change the whole dynamic. So, I thank Senator Barrasso for his work and  
13 willing to work with me on this because as soon as you get at the core truth, Uzbekistan  
14 and Ukraine are at the bottom, then we are really, you know, going to be helping them  
15 to help themselves, you know. We just have to, you know, as they say, teach a man to  
16 fish, okay. and that is what this is all about. And anything else is just going to continue  
17 on the same path.

18 So, thank you, Mr. Chairman.

19 **THE CHAIRMAN.** Thank you, and I want to thank Senator Barrasso, Murphy, and  
20 Risch for their contribution here.

1 Do we have a motion to take these en bloc?

2 **SENATOR CARDIN.** So moved.

3 **THE CHAIRMAN.** By Senator Cardin. A second?

4 **SENATOR MENENDEZ.** Second.

5 **THE CHAIRMAN.** All in -- so moved and seconded.

6 The question is on the motion to approve the Barrasso Amendment, as modified,  
7 Barrasso-Murphy Second Degree, with the Risch Amendment en bloc by voice vote.

8 All those in favor, say aye.

9 [A chorus of ayes.]

10 **THE CHAIRMAN.** Opposed?

11 [No response.]

12 **THE CHAIRMAN.** With that, the ayes have it, and the amendments are agreed to.

13 Are there any further amendments on this legislation? Senator Murphy.

14 **SENATOR MURPHY.** Thank you, Mr. Chairman. Just first, I have two amendments,  
15 but just first a point of clarification on the commitment that you made to Senator  
16 Shaheen with respect to a path forward.

17 **THE CHAIRMAN.** Okay. Okay.

18 **SENATOR MURPHY.** So, the elephant in the room is that there is a current FBI  
19 investigation with respect to whether current or former members of the Trump team

1 were compromised by the Russians. You said you want to wait to give the Secretary of  
2 State time to work through some existing negotiations with the Russians.

3 I just want to make sure we are holding our prerogative as a committee to move  
4 on sanctions regardless of what the White House's request is, that we are not going to  
5 give them veto power over --

6 **THE CHAIRMAN.** Yeah. Let me say this. I have had zero conversations with the  
7 White House. Zero. This has all been with our Secretary of State in reference to Syria.  
8 Russia is isolated by the international community more so than they have in any recent  
9 time, and there was a slight window of opportunity from his perspective.

10 I see no evidence of that being altered personally. I went down into the SCIF this  
11 week. Nothing seemed to me to change, but he asked for a few weeks. But we have had  
12 no conversations with the White House, none, on this issue. It has all been with  
13 Tillerson. We support diplomacy. A few weeks after a year to me did not seem to be  
14 detrimental to our efforts, and we are not giving up our jurisdiction on this issue.

15 **SENATOR MURPHY.** Thank you, Mr. Chairman. Do you want to make an  
16 additional point on that?

17 **SENATOR SHAHEEN.** Yeah, but if you are done.

18 **SENATOR MURPHY.** I have some amendments, but go ahead.

19 **SENATOR SHAHEEN.** Mr. Chairman, can I just --

20 **THE CHAIRMAN.** Yeah.

1           **SENATOR SHAHEEN.** -- make another point? I think we are looking at two different  
2 issues. One is the investigations that are going forward in the intelligence committees  
3 and the special counsel. That is an issue about a number of things.

4           But what I was referring to and what I think we ought to be looking at in terms  
5 of Russia's activities has nothing to do with what interactions might have occurred or  
6 not have occurred between the Trump Campaign and the White House. I think that is a  
7 different issue, and what we ought to be looking at is Russia's activities to undermine  
8 Western democracies.

9           **THE CHAIRMAN.** A hundred percent agree. A hundred percent agree. And, you  
10 know, I realize that even Syria is not related to that, but I also understand that when  
11 you are clamping down additional sanctions regardless of what the issue is, when you  
12 are having those discussions, it has a degree of effect. But I stand united with the  
13 committee in wishing to address this issue. And I am also glad to give our Secretary of  
14 State a degree of time to try to address this in a different way. Senator Murphy.

15           **SENATOR MURPHY.** On behalf of Senator Portman, I would like to call up  
16 Portman Number 1, which I am offering with him, and maybe at the same time the  
17 second-degree amendment that Senator Cardin is offering to it.

18           **THE CHAIRMAN.** Without objection, you can bring them both up if Senator Cardin  
19 does not --

20           **SENATOR CARDIN.** That is fine.

1           **SENATOR MURPHY.** So, to my colleagues, in the NDAA last year, we passed  
2 authorizing language for a new outfit inside the State Department called the Global  
3 Engagement Center. The purpose of the Global Engagement Center would be primarily  
4 to push back against Russian-led propaganda.

5           To the extent that we are -- we are also authorizing this funding to be used for  
6 those purposes, this amendment seeks to square the language in our bill essentially with  
7 the language of the authorizing statute for the Global Engagement Center. So, all it  
8 effectively does with the perfect second amendment is to provide some additional  
9 guidance on how this funding would be used to counter Russian propaganda,  
10 promoting internet freedoms, supporting independent media, supporting civil society  
11 watchdog groups. And I am glad to offer it along with Senator Portman.

12           **THE CHAIRMAN.** Any other discussion on this amendment?

13           [No response.]

14           **THE CHAIRMAN.** Look, I do not know how this is going to turn out. I oppose the  
15 amendment because the way the bill is structured is to give priority. What your  
16 amendment does is basically do away with that, that instead of prioritizing those things  
17 that are most important, to use colloquial language, this sort of creates a grab bag of  
18 issues, which to me is not what the bill is structured to do. But each person I know  
19 needs to vote their conscience here.

20           And so, you have offered the amendment. Any other discussion?

1 [No response.]

2 **THE CHAIRMAN.** Do you want a recorded vote?

3 **SENATOR MURPHY.** I would ask for a recorded vote.

4 **THE CHAIRMAN.** Okay. The clerk will call the roll.

5 **THE CLERK.** Mr. Risch?

6 **SENATOR RISCH.** Aye.

7 **THE CLERK.** Mr. Rubio?

8 **SENATOR RUBIO.** Aye.

9 **THE CLERK.** Mr. Johnson?

10 **THE CHAIRMAN.** Aye by proxy.

11 **THE CLERK.** Mr. Flake?

12 **SENATOR FLAKE.** No.

13 **THE CLERK.** Mr. Gardner?

14 **THE CHAIRMAN.** Aye by proxy.

15 **THE CLERK.** Mr. Young?

16 **SENATOR YOUNG.** Aye.

17 **THE CLERK.** Mr. Barrasso?

18 **SENATOR BARRASSO.** Aye.

19 **THE CLERK.** Mr. Isakson?

20 **THE CHAIRMAN.** Aye by proxy.

1 THE CLERK. Mr. Portman?  
2 THE CHAIRMAN. Aye by proxy.  
3 THE CLERK. Mr. Paul?  
4 SENATOR PAUL. No.  
5 THE CLERK. Mr. Cardin?  
6 SENATOR CARDIN. Aye.  
7 THE CLERK. Mr. Menendez?  
8 SENATOR MENENDEZ. Aye.  
9 THE CLERK. Mrs. Shaheen?  
10 SENATOR SHAHEEN. Aye.  
11 THE CLERK. Mr. Coons?  
12 THE CHAIRMAN. Aye by --  
13 SENATOR CARDIN. Aye by proxy. I'm sorry.  
14 [Laughter.]  
15 THE CHAIRMAN. We help each other.  
16 THE CLERK. Mr. Udall?  
17 SENATOR UDALL. Aye.  
18 THE CLERK. Mr. Murphy?  
19 SENATOR MURPHY. Aye.  
20 THE CLERK. Mr. Kaine?



1           **SENATOR KAINÉ.** Aye.

2           **THE CLERK.** Mr. Markey?

3           **SENATOR MARKEY.** Aye.

4           **THE CLERK.** Mr. Merkley?

5           **SENATOR MERKLEY.** Aye.

6           **THE CLERK.** Mr. Booker?

7           **SENATOR CARDIN.** Aye by proxy.

8           **THE CLERK.** Mr. Chairman?

9           **THE CHAIRMAN.** No. The clerk call the roll.

10          **THE CLERK.** Mr. Chairman, the yeas are 18, the noes are three.

11          **THE CHAIRMAN.** The amendment passes. Do you want to bring up Portman 2?

12          **SENATOR RISCH.** Very briefly, yeah, Mr. Chairman. Senator Portman has asked

13 me to present this, and this is complementary to Portman 1. The heart of this is that it

14 requests that the President designate Ukraine as a major non-North Atlantic Treaty

15 Organization. It also deals with some of the other ways in which the sanctions should be

16 handled and taken off if they are taken off, and how Ukraine should be involved in that.

17           I think -- with that, Mr. Chairman, I will accept a voice vote on this.

18          **SENATOR CARDIN.** I am opposed to it.

1           **THE CHAIRMAN.** I would point out to people this states Ukraine is a major non-  
2 NATO ally. I do not know if that is what we want to do at this time. I just want to make  
3 sure people understand that.

4           **VOICE.** And a voice vote is fine.

5           **SENATOR CARDIN.** Also, look, I support what Senator Portman is trying to do.  
6 This is not the right vehicle to put it on. I would urge our colleagues to reject the  
7 amendment.

8           **THE CHAIRMAN.** Any other statements towards this end?

9           [No response.]

10          **THE CHAIRMAN.** We will have a voice vote.

11          All in favor, say aye.

12          **SENATOR BOOKER.** This is Portman 2?

13          **THE CHAIRMAN.** Portman 2, yes.

14          **SENATOR RISCH.** Portman 2.

15          **THE CHAIRMAN.** All in favor, say aye.

16          [A chorus of ayes.]

17          **THE CHAIRMAN.** All opposed?

18          [A chorus of nays.]

19          **THE CHAIRMAN.** The nays have it, and the amendment is not agreed to.

20          Any other amendments? Yes, sir?

1           **SENATOR MURPHY.** Mr. Chairman, I have Murphy Amendment 1. Mr. Chairman,  
2 this is not a new idea, but many of our top groups internationally who have been  
3 working in this space of fighting corruption have noted that we have no positions  
4 within the Foreign Service that are dedicated to fighting corruption. In fact, it is  
5 normally our officers who will dedicate a small amount of time towards this endeavor.

6           And so, there have been number of proposals to set up a classification of  
7 positions which are dedicated to governance, dedicated to fighting corruption. And it  
8 would also be a really important signal to the Russians that we are serious about this.

9           So, this amendment would simply set up a pilot program, authorize a pilot  
10 program whereby the State Department could task Foreign Service officers in embassies  
11 around Russia's periphery and the countries named in this act to dedicate their time  
12 towards fighting corruption, standing up civil society, working with NGOs who act in  
13 this space.

14           So, I would offer this as an amendment and seek the committee's support.

15           **THE CHAIRMAN.** Senator Cardin?

16           **SENATOR CARDIN.** Again, I support the principle of this amendment. I am going  
17 to oppose it because I just do not believe it should be in this bill. This is a personnel  
18 issue, a matter that I would to have our committee spend time dealing with personnel  
19 and priorities for Foreign Service officers. We desperately need what Senator Murphy is

1 suggesting in this amendment. That is why I support the substance. But I, again, do not  
2 believe it should be in this bill, and I would urge my colleagues to reject it.

3 **THE CHAIRMAN.** I am in the same position as Senator Cardin. Any other  
4 statements on this amendment?

5 **SENATOR MARKEY.** Mr. Chairman?

6 **THE CHAIRMAN.** Yes, sir.

7 **SENATOR MARKEY.** Yeah, thank you, Mr. Chairman. I agree with Senator  
8 Murphy. I think that this issue of corruption is right at the heart of almost all of these  
9 issues. And, again, I'm just going to kind of come back to Ukraine. You do not get to be  
10 the second worst energy efficient country in the world unless your entire energy sector  
11 is corrupt to its eyeballs. I mean, just corrupt.

12 And so, we know that about the Ukraine. It's corruption on stilts. The energy  
13 sector is deplorable. What Senator Murphy is saying this is the more that we focus upon  
14 countries like the Ukraine, and start to talk about Russia, and have our Foreign Service  
15 corps be raising it to the highest level is the more likely we are going to get the core of  
16 the governance in these countries.

17 And I agree with the list of countries that Senator Murphy has listed here, and I  
18 would support the amendment. Thank you.

19 **THE CHAIRMAN.** Any other statements?

20 **SENATOR MURPHY.** I will try my luck at a roll call vote.

1           **THE CHAIRMAN.** A roll call vote has been requested. I, too, oppose the  
2 amendment, but I certainly appreciate the fact that Senator Murphy at the Maidan at a  
3 very important time, and I appreciate all of his efforts in Ukraine itself.

4           The clerk will call the roll.

5           **THE CLERK.** Mr. Risch?

6           **SENATOR RISCH.** Aye.

7           **THE CLERK.** Mr. Rubio?

8           **SENATOR RUBIO.** Aye.

9           **THE CLERK.** Mr. Johnson?

10          **THE CHAIRMAN.** Aye by proxy.

11          **THE CLERK.** Mr. Flake?

12          **SENATOR FLAKE.** No.

13          **THE CLERK.** Mr. Gardner?

14          **THE CHAIRMAN.** No by proxy.

15          **THE CLERK.** Mr. Young?

16          **SENATOR YOUNG.** Aye.

17          **THE CLERK.** Mr. Barrasso?

18          **SENATOR BARRASSO.** No.

19          **THE CLERK.** Mr. Isakson?

20          **THE CHAIRMAN.** No by proxy.

1 THE CLERK. Mr. Portman?  
2 THE CHAIRMAN. Yes by proxy.  
3 THE CLERK. Mr. Paul?  
4 SENATOR PAUL. No.  
5 THE CLERK. Mr. Cardin?  
6 SENATOR CARDIN. No.  
7 THE CLERK. Mr. Menendez?  
8 SENATOR MENENDEZ. Aye.  
9 THE CLERK. Mrs. Shaheen?  
10 SENATOR SHAHEEN. Aye.  
11 THE CLERK. Mr. Coons?  
12 SENATOR CARDIN. Aye by proxy.  
13 THE CLERK. Mr. Udall?  
14 SENATOR CARDIN. Aye by proxy.  
15 THE CLERK. Mr. Murphy?  
16 SENATOR MURPHY. Aye.  
17 THE CLERK. Mr. Kaine?  
18 SENATOR CARDIN. Aye by proxy.  
19 THE CLERK. Mr. Markey?  
20 SENATOR MARKEY. Aye.

1 THE CLERK. Mr. Merkley?

2 SENATOR MERKLEY. Aye.

3 THE CLERK. Mr. Booker?

4 SENATOR BOOKER. Aye.

5 THE CLERK. Mr. Chairman?

6 THE CHAIRMAN. No. The clerk will report.

7 THE CLERK. Mr. Chairman, the yeas are 14, the noes are seven.

8 THE CHAIRMAN. The amendment passes. Are there any other amendments?

9 [No response.]

10 THE CHAIRMAN. Hearing no further amendments, is there a motion to approve  
11 the legislation, as amended?

12 SENATOR CARDIN. So moved.

13 THE CHAIRMAN. Is there a second?

14 [No response.]

15 THE CHAIRMAN. Everybody falling asleep at this point?

16 SENATOR RISCH. Second.

17 THE CHAIRMAN. Thank you. So moved and seconded.

18 The question is on the motion to approve S. 1221, Countering Russian Influence  
19 in Europe and Eurasia Act, as amended.

1 I do want to say the operational portion of this has been gutted by the Portman  
2 amendment. I am going to vote this out of committee, but I am very disappointed that  
3 the structure that we negotiated has been done away with. I will vote it out of  
4 committee as a show of good faith, even though the bill has been tremendously altered.  
5 But I want you to know there will be further discussions about this.

6 So, the clerk will call the roll.

7 **THE CLERK.** Mr. Risch?

8 **SENATOR RISCH.** Aye.

9 **THE CLERK.** Mr. Rubio?

10 **SENATOR RUBIO.** Aye.

11 **THE CLERK.** Mr. Johnson?

12 **THE CHAIRMAN.** Aye by proxy.

13 **THE CLERK.** Mr. Flake?

14 **SENATOR FLAKE.** Aye.

15 **THE CLERK.** Mr. Gardner?

16 **THE CHAIRMAN.** Aye by proxy.

17 **THE CLERK.** Mr. Young?

18 **SENATOR YOUNG.** Aye.

19 **THE CLERK.** Mr. Barrasso?

20 **SENATOR BARRASSO.** Aye.



1 THE CLERK. Mr. Isakson?  
2 THE CHAIRMAN. Aye by proxy.  
3 THE CLERK. Mr. Portman?  
4 THE CHAIRMAN. Aye by proxy.  
5 THE CLERK. Mr. Paul?  
6 SENATOR PAUL. No.  
7 THE CLERK. Mr. Cardin?  
8 SENATOR CARDIN. Aye.  
9 THE CLERK. Mr. Menendez?  
10 SENATOR MENENDEZ. Aye.  
11 THE CLERK. Mrs. Shaheen?  
12 SENATOR SHAHEEN. Aye.  
13 THE CLERK. Mr. Coons?  
14 SENATOR CARDIN. Aye by proxy.  
15 THE CLERK. Mr. Udall?  
16 SENATOR CARDIN. Aye by proxy.  
17 THE CLERK. Mr. Murphy?  
18 SENATOR MURPHY. Aye.  
19 THE CLERK. Mr. Kaine?  
20 SENATOR CARDIN. Aye by proxy.

1 THE CLERK. Mr. Markey?

2 SENATOR MARKEY. Aye.

3 THE CLERK. Mr. Merkley?

4 SENATOR MERKLEY. Aye.

5 THE CLERK. Mr. Booker?

6 SENATOR BOOKER. Aye.

7 THE CLERK. Mr. Chairman?

8 THE CHAIRMAN. Aye. The clerk will report.

9 THE CLERK. Mr. Chairman, the yeas are 20, the noes are one.

10 THE CHAIRMAN. And with that, the ayes have it. The legislation, as amended, is  
11 agreed to.

12 Next, we will consider S. 905, Syrian War Crimes Accountability Act of 2017.

13 Senator Cardin, would you or any other member like to speak to this?

14 SENATOR CARDIN. Mr. Chairman, I very much appreciate your help in bringing  
15 this forward. I thank you for your co-sponsorship. I want to thank Senator Rubio for his  
16 direct involvement in bringing this resolution forward. I thank Senator Shaheen,  
17 Menendez, and Young for their co-sponsorship.

18 We know that the Assad regime uses cluster bombs and chemical weapons  
19 targeting civilian populations. They need to be held accountable for their war crimes.  
20 This bill supports the transitional justice, any settlement in Syria, a report to Congress.

1           There are three amendments that I will offer that I think are non-controversial,  
2 and I would urge my colleagues to support the resolution.

3           **THE CHAIRMAN.** Any other discussion on this?

4           [No response.]

5           **THE CHAIRMAN.** I would like to urge that we consider all three amendments en  
6 bloc. And did you just motion that en bloc?

7           **SENATOR CARDIN.** I would move that --

8           **SENATOR MENENDEZ.** Second.

9           **SENATOR CARDIN.** -- the three Cardin amendments be considered en bloc.

10          **THE CHAIRMAN.** Seconded by Menendez. So moved and seconded.

11          The question is on the motion to approve the three Cardin amendments en bloc  
12 by voice vote.

13          All those in favor, say aye.

14          [A chorus of ayes.]

15          **THE CHAIRMAN.** Opposed?

16          [No response.]

17          **THE CHAIRMAN.** With that, the ayes have, and the amendments are agreed to.

18          Are there any further amendments?

19          [No response.]

1           **THE CHAIRMAN.** Hearing none, is there a motion to approve the legislation, as  
2 amended?

3           **SENATOR CARDIN.** So moved.

4           **THE CHAIRMAN.** Is there a second?

5           **SENATOR MENENDEZ.** Second.

6           **THE CHAIRMAN.** So moved and seconded. The question is on the motion to  
7 approve S. 905, as amended.

8           All in favor will say aye.

9           [A chorus of ayes.]

10          **THE CHAIRMAN.** Opposed?

11          [No response.]

12          **THE CHAIRMAN.** With that, the ayes have it. The legislation, as amended, is  
13 agreed to.

14          Next, we will consider H.R. 601, Reinforcing Education Accountability in  
15 Development Act. Senator Cardin, would you or any other member like to speak to  
16 this?

17          **SENATOR CARDIN.** Just to thank Senator Rubio for his hard work on this.  
18 Education is the best tool to lift individuals out of poverty and drive economic growth.  
19 Coordinating strategies to expand access to basic education around the globe is in our  
20 national security interests. I support the bill.

1           **THE CHAIRMAN.** If there is no further discussion, I will entertain a motion to  
2 consider the Corker Amendment that makes some technical date changes by voice vote.

3           **SENATOR MENENDEZ.** So moved.

4           **THE CHAIRMAN.** Is there a second?

5           **SENATOR SHAHEEN.** Second.

6           **THE CHAIRMAN.** So moved and seconded. The question is on the motion to  
7 approve the Corker Amendment.

8           All in favor, say aye.

9           [A chorus of ayes.]

10          **THE CHAIRMAN.** Opposed?

11          [No response.]

12          **THE CHAIRMAN.** With that, the ayes have it, and the amendment is agreed to.

13          Are there any further amendments?

14          [No response.]

15          **THE CHAIRMAN.** Hearing none, is there a motion to approve the legislation, as  
16 amended?

17          **SENATOR CARDIN.** So moved.

18          **SENATOR MENENDEZ.** Second.

19          **THE CHAIRMAN.** Is there a second? Thank you. So moved and seconded.

20          The question is on the motion to approve H.R. 601, as amended.

1 All in favor will say aye.

2 [A chorus of ayes.]

3 **THE CHAIRMAN.** Opposed?

4 [No response.]

5 **THE CHAIRMAN.** With that, the ayes have it, and the legislation, as amended, is  
6 agreed to.

7 Next, we will consider S. 1141, to ensure that the U.S. promotes the meaningful  
8 participation of women in mediation and negotiation processes seeking to prevent,  
9 mitigate, and resolve violent conflict. Senator Cardin, would you or any other member  
10 wish to speak to this legislation?

11 **SENATOR CARDIN.** Mr. Chairman, I want to thank Senator Shaheen for her  
12 patience, tenacity, leadership, and aggressiveness in getting this before our committee.  
13 Women are disproportionately affected by violence and armed conflict around the  
14 world. They are underrepresented in the peace process. This bill will advance global  
15 security, and, again, I thank Senator Shaheen for her work.

16 **THE CHAIRMAN.** Senator Shaheen.

17 **SENATOR SHAHEEN.** Thank you, Mr. Chairman, and thank you for following  
18 through on your commitment in the last session to make sure that we took this bill up.

19 I want to give credit to Barbara Boxer, who was the driving force behind this for  
20 so many years, and also point out that this is not just good legislation. It makes sense

1 because we know, as Senator Cardin said, that women made up fewer than 4 percent of  
2 signatories to peace agreements, and just 9 percent of negotiators according to the  
3 Council on Foreign Relations between 1992 and 2011. And we also know that a peace  
4 agreement is 35 percent more likely to last more than 15 years if women have  
5 participated in the negotiation process.

6 So, this is good diplomacy, and I appreciate the support from all of those who  
7 have worked on it.

8 **THE CHAIRMAN.** Well, I, too, want to thank you for what you have done here and  
9 your leadership. My only request is after we pass this that you please call Senator Boxer  
10 and President Carter to let them know this has happened, okay? But thank you so much  
11 for your leadership.

12 **SENATOR SHAHEEN.** And I will give you all due credit.

13 [Laughter.]

14 **THE CHAIRMAN.** Okay. Are there any amendments?

15 [No response.]

16 **THE CHAIRMAN.** Hearing none, is there a motion to approve the legislation?

17 **SENATOR CARDIN.** So moved.

18 **SENATOR MENENDEZ.** Second.

19 **THE CHAIRMAN.** Is there a second? Thank you. So moved and seconded.

20 The question is on the motion to approve S. 1141.

1 All in favor will say aye.

2 [A chorus of ayes.]

3 **THE CHAIRMAN.** Opposed?

4 [No response.]

5 **THE CHAIRMAN.** With that, the ayes have it. The legislation is agreed to.

6 Next, we will consider S. Res. 114, expressing the sense of the Senate on  
7 humanitarian crises in Nigeria, Somalia, South Sudan, and Yemen. Senator Cardin,  
8 would you like to speak to this?

9 **SENATOR CARDIN.** I want to thank Senator Young for his extraordinary  
10 leadership on this issue. I want to thank also the co-sponsors, Senators Gardner, Rubio,  
11 and Coons. Clearly this conflict-driven famine, with 20 million people at risk of  
12 starvation and famine, and I am proud to support this resolution.

13 **THE CHAIRMAN.** I would like to second those sentiments, and I think Senator  
14 Young has two amendments that he would like to offer. I would like to take those en  
15 bloc if that is, in fact, the case.

16 **SENATOR YOUNG.** Yeah, just offering two amendments in the nature of a  
17 substitute. So, thanks so much, Mr. Chairman, for the opportunity to work with you  
18 and your staff on this. Thank you for your leadership, Ranking Member. And staff has  
19 been wonderful. And this all emerged out of, you know, our committee hearing, which I  
20 credit both of you for holding.



1           **THE CHAIRMAN.** Thank you.

2           **SENATOR YOUNG.** Let us get this done. I think we have near unanimous for this.

3           **THE CHAIRMAN.** Thank you. Thank you so much for your leadership on this  
4 issue.

5           Is there a motion to approve the two Young amendments by voice vote en bloc?

6           **SENATOR CARDIN.** So moved.

7           **SENATOR MENENDEZ.** Second.

8           **THE CHAIRMAN.** So moved and seconded.

9           The question is on the motion to approve the two Young amendments en bloc by  
10 voice vote.

11           All in favor, say aye.

12           (A chorus of ayes.)

13           **THE CHAIRMAN.** Opposed?

14           [No response.]

15           **THE CHAIRMAN.** With that, the ayes have it, and the amendment is agreed to.

16           Are there any further amendments?

17           [No response.]

18           **THE CHAIRMAN.** Hearing none, is there a motion to approve the legislation, as  
19 amended?

20           **SENATOR CARDIN.** So moved.

1           **THE CHAIRMAN.** So moved. Second?

2           **SENATOR SHAHEEN.** Second.

3           **THE CHAIRMAN.** So moved and seconded.

4           The question is on the motion to approve S. Res. 114, as amended.

5           All in favor will say aye.

6           [A chorus of ayes.]

7           **THE CHAIRMAN.** Opposed?

8           [No response.]

9           **THE CHAIRMAN.** With that, the ayes have it, and the legislation, as amendment --  
10 as amended is agreed to.

11           Now, we will consider S. Res. 18, reaffirming the U.S.-Argentina partnership and  
12 recognizing Argentina's economic reforms. Senator Cardin, would you or any other  
13 member like to speak to this issue?

14           **SENATOR CARDIN.** I would like to thank Senators Rubio and Coons for their  
15 work. We had the president of Argentina here recently, and this resolution reaffirms the  
16 U.S.-Argentine partnership. I support the resolution.

17           We have one more after this.

18           **THE CHAIRMAN.** If you all would just hang one second, I apologize. I understand  
19 Senator Coons has two amendments he would like to offer. I would entertain a motion  
20 to consider the two Coons' amendments en bloc by voice vote.

1           **SENATOR CARDIN.** So moved.

2           **THE CHAIRMAN.** Second?

3           **SENATOR MENENDEZ.** Second.

4           **THE CHAIRMAN.** So moved and seconded.

5           The question is on the motion to approve the two Coons' amendments en bloc by  
6 voice vote.

7           All in favor, say aye.

8           [A chorus of ayes.]

9           **THE CHAIRMAN.** Opposed?

10          [No response.]

11          **THE CHAIRMAN.** With that, the ayes have it, and the amendments are agreed to.

12          Are there any further amendments?

13          **SENATOR BOOKER.** I am going to withdraw my amendment. I have serious  
14 concerns about -- I have serious concerns about Argentina's responsibilities for state-  
15 owned corporations in the United States, but I have been assured that there will be an  
16 opportunity to work on this as we move forward.

17          **THE CHAIRMAN.** Thank you. Thank you so much.

18          Hearing none, is there a motion to approve the legislation, as amended?

19          **SENATOR CARDIN.** So moved.

20          **SENATOR SHAHEEN.** So moved.

1           **SENATOR MENENDEZ.** Second.

2           **THE CHAIRMAN.** Is there a second? So moved and seconded.

3           The question is on the motion to approve S. Res. 18, as amended.

4           All in favor will say aye.

5           [A chorus of ayes.]

6           **THE CHAIRMAN.** Opposed?

7           [No response.]

8           **THE CHAIRMAN.** With that, the ayes have it. The legislation, as amended, is  
9 agreed to.

10           Lastly, we will consider S. Res. 176, commemorating the 50th anniversary of the  
11 reunification of Jerusalem. Senator Cardin, would you or any other member like to  
12 speak --

13           **SENATOR CARDIN.** I want to thank our leaders for bringing this forward. The  
14 resolution commemorates A momentous occasion, the 50th anniversary of the  
15 reunification of Jerusalem and our strong support for U.S.-Israel ties. I urge my  
16 colleagues to support the resolution.

17           **THE CHAIRMAN.** Are there any amendments?

18           **SENATOR RISCH.** How can you amend that?

19           [Laughter.]

20           **THE CHAIRMAN.** Hearing none, is there a motion to approve the legislation?

1           **SENATOR CARDIN.** So moved.

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

3           **SENATOR RISCH.** Second.

4           **THE CHAIRMAN.** So moved and seconded.

5           The question is on the motion to approve S. Res. 176.

6           All in favor will say aye.

7           [A chorus of ayes.]

8           **THE CHAIRMAN.** Opposed?

9           [No response.]

10          **THE CHAIRMAN.** And with that, the ayes have it, and the legislation is agreed to.

11          That completes our committee's business. I ask unanimous consent that staff be  
12          authorized to make technical changes and conforming changes.

13          Without objection, so ordered.

14          And with that, without objection, the committee will stand adjourned. Thank  
15          you.

16          **SENATOR CARDIN.** Good work.

[Whereupon, at 11:13 a.m., the hearing was adjourned.]

## **Additional Material Submitted for the Record**

*Submitted for the Record by Senator Shaheen*

### ***On Likelihood of Further Russian Cyber-Enabled Interference in U.S. Elections:***

*DIA Director Lieutenant General Vincent Stewart:*

“Moscow will continue to aggressively pursue its foreign policy and security objectives by employing the full spectrum of influence and coercion, including cyberoperations.” (Senate Armed Services Committee, May 23, 2017)

*DNI Dan Coats:*

“Russia is a full-scope cyber actor that will remain a major threat to US Government, military, diplomatic, commercial, and critical infrastructure. Moscow has a highly advanced offensive cyber program, and in recent years, the Kremlin has assumed a more aggressive cyber posture. ... We assess that Russian cyber operations will continue to target the United States and its allies to gather intelligence, support Russian decision making, conduct influence operations to support Russian military and political objectives, and prepare the cyber environment for future contingencies.” (Senate Armed Services Committee, May 23, 2017)

*EUCOM Commander General Curtis Scaparrotti:*

“Deterring Russia requires a whole of government approach, and EUCOM supports the strategy of approaching Russia from a position of strength while seeking appropriate military-to-military communication necessary to fulfill our defense obligations in accordance with the Fiscal Year 2017 National Defense Authorization Act. Going forward, we must bring the information aspects of our national power more fully to bear on Russia, both to amplify our narrative and to draw attention to Russia’s manipulative, coercive, and malign activities.” (Senate Armed Services Committee, March 23, 2017)

“Russia seeks to undermine this international system and discredit those in the West who have created it. For example, Russia is taking steps to influence the internal politics of European countries just as it tried to do in the United States in an attempt to create disunity and weakness within Europe and undermine the transatlantic relationship.” (Senate Armed Services Committee, March 23, 2017)

*Former FBI Director Comey:*

“They’ll be back in 2020. They may be back in 2018 and one of the lessons they may draw from this is that they were successful because they introduced chaos and division and discord.” – (House Intelligence Committee hearing, March 20, 2017)

*Former DNI James Clapper:*

“Russia’s influence activities in the run-up to the 2016 election constituted the high water mark of their long running efforts since the 1960s to disrupt and influence our elections. They must be congratulating themselves for having exceeded their wildest expectations with a minimal expenditure of resource. And I believe they are now emboldened to continue such activities in the future both here and around the world, and to do so even more intensely. If there has ever been a clarion call for vigilance and action against a threat to the very foundation of our democratic political system, this episode is it. I hope the American people recognize the severity of this threat and that we collectively counter it before it further erodes the fabric of our democracy.” (Senate Judiciary Subcommittee hearing, May 8, 2017)

*Dr. Robert Kagan, Brookings Institution:*

“Finally, there is the question of Russian interference in the most recent American presidential election. Some may not view this as a strategic and national security matter, but it is. Russian interference in Western democratic political processes has become a major element of Moscow’s strategy to disrupt, divide, and demoralize the West. The tactics it has recently employed in the United States it has already used in elections and referendums across Europe, including most recently in Italy, and will likely use again in France and Germany. For the United States to ignore this Russian tactic, and particularly now that it has been deployed against the United States, is to cede to Moscow a powerful tool of modern geopolitical warfare. It is extraordinary that the United States government has taken no act of retaliation. And it is unconscionable, and an abdication of responsibility, that Congress has not launched an investigation to discover exactly what happened with a view to preventing its recurrence in the future. One hates to think that because the Republican Party was the beneficiary of Russian intervention in this election that as the majority party in both houses of Congress it has no interest in discovering the truth about the foreign government’s assault on American democratic processes.” (Senate Armed Services Committee, December 6, 2016)

*Former Acting Attorney General Sally Yates:*

“The efforts by a foreign adversary to interfere and undermine our Democratic processes and — and those of our allies pose a serious threat to all Americans...As the intelligence community assessed in its January of 2017 report, Russia will continue to develop capabilities to use against the United States and

we need to be ready to meet those threats.” (Senate Judiciary subcommittee hearing, May 8, 2017)

*General Philip Breedlove, former NATO SACEUR and U.S. EUCOM Commander:*

“But to the -- to the latter concern, I think it’s important when we deal with Russia that we are consistent, that we either do not reward bad behavior or that we don’t let that behavior go unaddressed.” (SFRC Hearing, February 9, 2017)

“I think shocking is how far they believe now they can get away with this in our nation as witnessed in what happened in the election. And so your initiative would be a tool to take the field to counter this war between the line or below the lines. I do not believe that we in NATO, the European Union, or the west in general have really come to an understanding of how we’re going to react this -- to this war by indirect means or war below the lines, cyber, disinformation campaigns, coercion with force, all of it lumped together in this war. We need a broader approach to how we counter it.” (SFRC Hearing, February 9, 2017)

“Part of what happens here is Russia puts out a lot of disinformation that they really don’t care whether learned people seeing as being false...And what I haven’t seen among the western nations who are under this attack is a strong unified voice of indignation, outrage, and to bring force to this. We see parcel penny packet responses that don’t come strongly either in a policy sense or in just a public message sense. And I think that the west who is under attack here needs to bring this together to out the behavior and then try to erode that base of people that want to believe them.” (SFRC Hearing, February 9, 2017)

“The cyber thing is even more scary to me because we haven’t really defined what is an attack. We haven’t really defined policies that say how we’re going to respond. We still – now, I will use the we of NATO, we still shirk from thinking about offensive cyber and only think of defensive cyber when our opponent has taken the gloves off completely. And so I’m a little more scared, Senator, about the cyber thing because we really haven’t got a framework yet by which to address it.” (SFRC Hearing, February 9, 2017)

*Admiral Jim Stavridis, former U.S. EUCOM Commander:*

(When asked what will happen if the U.S. does not take action in response to cyberattacks on our country) “I will just add a way to think about this is the old saying if you live in a glass house, you should not throw stones. I do not agree with that in this case. We do live in a glass house. I think we need to throw a few stones, or we are going to see more and more of this and it will ratchet up over time.” (Senate Armed Forces Committee Hearing, May 11, 2017)

*Former DNI James Clapper:*

(When asked about the most worrisome current or potential cyber threat to the U.S.) “I worry about the worst case, which is an attack on our infrastructure.



And I think the Russians particularly have reconnoitered it and probably at a time of their choosing, which I do not think right now is likely, but I think if they wanted to, they could do great harm.” (Senate Armed Forces Committee Hearing, May 11, 2017)

*U.S. Cyber Command Commander and NSA Director Admiral Rogers:*

(When asked how the U.S. should counter the kind of cyber-enabled information operations Russia conducted during the 2016 presidential election) “We need to look at this end to end and ask ourselves what changes do we need to make in this structure...I think we also need to make it clear to those nation states or groups that would engage in this behavior it’s unacceptable and there’s a price to pay for doing this...it’s one of the reasons why deterrence becomes so important. The goal should be we want to convince actors you don’t want to do this, regardless of whether you could be successful or not, it’s not in your best interest and you don’t want to engage in this behavior.” (Senate Armed Forces Committee Hearing, May 9, 2017)