

BUSINESS MEETING

THURSDAY, JULY 14, 2016

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

The committee met, pursuant to notice, at 10:05 a.m. in, Room SD-419, Dirksen Senate Office Building, Hon. Bob Corker, chairman of the committee, presiding.

Present: Senators Corker [presiding], Risch, Rubio, Flake, Perdue, Isakson, Barrasso, Cardin, Menendez, Shaheen, Coons, Udall, Murphy, and Markey.

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

The CHAIRMAN. I am going to go ahead and call the meeting to order. We will do our preliminary work, and by that time, I think we will have enough people here to go ahead and vote.

So the business meeting of the Senate Foreign Relations Committee will come to order. On the agenda for today, we have a number of pieces of legislation and eight nominations. First, we will consider a number of nominations, including several important new ambassadors and the U.S. executive director to the IMF.

First, we will consider S. Res. 515, a resolution welcoming Prime Minister Lee and reaffirming Singapore's strategic partnership with the United States. I would like to thank Senators Cardin and Gardner for reaffirming the importance of this strategic partnership between the United States and Singapore in this 50th year of diplomatic relations between our two countries.

Singapore is a valued partner in the Asia-Pacific, and I have appreciated the opportunity to meet with Prime Minister Lee on several occasions to discuss issues of mutual interest, including the South China Sea and TPP.

Next on the agenda is S. Con. Res. 41, expressing the sense of Congress on the Peshmerga, the Kurdistan region of Iraq. I want to thank Senator Boxer for working with Senator Ernst and us on this effort.

The Peshmerga has been an invaluable ally to the United States in a region fraught with enemies and has demonstrated itself to be one of the most effective fighting forces in the military campaign against ISIS. For that, we are incredibly grateful.

The severe budget shortfalls faced by both the Government of Iraq and the Kurdistan regional government are real, and they are

hindering the stability of Iraq and have the potential to limit our ability to fully defeat ISIS.

So, again, I thank her for her efforts in that regard, and the committee in working with her to make this happen.

We will also consider S. Con. Res. 42, expressing the sense of Congress regarding the safe and expeditious resettlement to Albania of all residents of Camp Liberty.

I want to thank Senator McCain for bringing S. Con. Res. 42 before the Senate and this committee. It is extremely important that we safely resettle the residents of Camp Liberty in Baghdad in a timely manner as we have seen attacks on the camp in 2013, 2015, and recently just this month. The recent rocket attack on Camp Liberty only emphasizes the need to ensure their expeditious resettlement to Albania.

We will also consider S. Con. Res. 46, expressing the support of the goal of ensuring that all Holocaust victims live with dignity in their remaining years.

The White House has recently added a special envoy for U.S. Holocaust survivor services under the Department of Health and Human Services to ensure that Holocaust victims living in the United States receive the care they need.

I would like to thank Senators Nelson, Cardin, Boxer, Rubio, and Markey for working with us on this.

Lastly, we will consider S. Res. 485, urging the Government of the DRC to comply with constitutional provisions regarding the holding of presidential elections in 2016. Progress toward free, fair, peaceful, and constitutional elections has been insufficient this late in the year. Government excesses have signaled the prospect for insecurity and instability, so much so that the U.S. has already sanctioned one Congolese official.

I support the passage of this resolution and would like to thank Senators Flake and Markey for working together to bring it to the committee.

With that, I would like to recognize our distinguished ranking member and my friend, Senator Cardin.

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

Senator CARDIN. Thank you, Mr. Chairman, and thank you again for the way in which this business meeting has come together, continuing this committee's commitment under your leadership to move nominees in a very efficient, effective manner, with eight additional nominations being brought to our attention, all of which I support, and the resolutions, which I think are extremely important.

You went through all of those resolutions, so I will not go through them all again, other than to say I thank all of our colleagues for their work on this. There was I think the right amount of input. I know we had some concerns on some of the drafting, but it came together in a way that I think reflects the best traditions of this committee.

So whether it was the Singapore resolution, and I'm proud to work with Senator Gardner, the chair of the subcommittee, on that resolution, or whether it is how we deal with the Peshmerga in the

Kurdish region of Iraq with Senators Boxer and Ernst working together, and Senator McCain on the refugees.

The Holocaust, I want to thank Senator Nelson for his long-standing work on this working with Senator Collins.

Senator Murphy, for your work on Yemen, I appreciate very much all the work that you put into that. It is a very tense situation, and I think it expresses the views of all of us here, and thank you for that.

And on the DRC, the work done by several of our colleagues, Senators Flake, Coons, Isakson, and Durbin, I think reflects the best traditions.

So, Mr. Chairman, I note that we have quorum.

The CHAIRMAN. That is a good thing to have in a business meeting, so I would like to thank you for the comments.

In the interest of time, I would ask the committee to proceed with an en bloc vote in consideration of the following nominees before the committee: the Hon. Marie. Yovanovitch to be Ambassador to Ukraine, the Hon. Geoffrey Pyatt to be Ambassador to Greece, the Hon. Douglas Silliman to be Ambassador to Iraq, the Hon. Michael McKinley to be Ambassador to Brazil, Ms. Anne Hall to be Ambassador to Lithuania, Mr. Lawrence Silverman to be Ambassador to Kuwait, Ms. Carol Perez to be Ambassador to Chile, Mr. Mark Sobel to be United States executive director to the IMF.

I want to thank all these nominees for their willingness to serve and settle in these positions.

Senator Cardin, do you have any additional comments?

Senator CARDIN. I do not. I again thank you for bringing these to the committee's attention. I support all of them.

The CHAIRMAN. Does anyone else wish to speak to these nominees?

With that, I would entertain a motion to pass them en bloc.

Senator CARDIN. So moved.

The CHAIRMAN. A second?

Senator SHAHEEN. Second.

The CHAIRMAN. So moved and seconded.

The question is on the motion to approve the nominations.

All in favor, say aye.

[A chorus of ayes.]

The CHAIRMAN. All opposed?

[No response.]

The CHAIRMAN. With that, the ayes have it.

Senator BARRASSO. Mr. Chairman, could I please be recorded as a no on Mark Sobel?

The CHAIRMAN. Absolutely.

Senator PERDUE. As I.

The CHAIRMAN. Absolutely.

Senator RUBIO. Mr. Chairman, I wanted to be recorded as a no as well.

The CHAIRMAN. And Senator Rubio is a no on Sobel, is that correct?

Any other?

Next, we will consider S. Con. Res. 41, the Peshmerga resolution.

Senator Cardin, do you have any additional comments?

Senator CARDIN. No, I do not. I support the resolution. I know there is an amendment, so I do support the bill and the amendment.

The CHAIRMAN. Okay.

Anyone else wish to speak to this resolution?

[No response.]

The CHAIRMAN. With no further discussion on this resolution, I would entertain a motion to approve the Rubio second degree amendment to the Corker-Boxer amendment by voice vote.

Senator CARDIN. So moved.

The CHAIRMAN. Is there a second?

Senator SHAHEEN. Second.

The CHAIRMAN. So moved and seconded.

The question is on the motion to approve the Rubio second degree to the Corker-Boxer amendment by voice vote.

All those in favor, say aye.

[A chorus of ayes.]

The CHAIRMAN. Opposed?

[No response.]

The CHAIRMAN. With that, the ayes have it. The amendment is agreed to.

Next, I would entertain a motion to approve the Corker-Boxer amendment, as amended by the second Rubio second degree, by voice vote.

Senator CARDIN. So moved.

The CHAIRMAN. Is there a second?

Senator SHAHEEN. Second.

The CHAIRMAN. So moved and seconded.

The question is on the motion to approve the Corker-Boxer amendment, as amended.

All those in favor, say aye.

[A chorus of ayes.]

The CHAIRMAN. Opposed?

[No response.]

The CHAIRMAN. With that, the ayes have it, and the amendment is agreed to.

Are there any further amendments?

[No response.]

The CHAIRMAN. Hearing none, is there a motion to approve the resolution as amended?

Senator CARDIN. So moved.

The CHAIRMAN. Is there a second?

Senator SHAHEEN. Second.

The CHAIRMAN. So moved and seconded.

The question is on the motion to approve S. Con. Res. 41 as amended.

All those in favor, say aye.

[A chorus of ayes.]

The CHAIRMAN. Opposed?

[No response.]

The CHAIRMAN. With that, the ayes have it. The resolution, as amended, is agreed to.

Next we will consider S. Res. 485, the DRC resolution.

Senator Cardin, any comments?

Senator CARDIN. I support the resolution. I know there are some amendments, and I would urge approval of the amendments and the resolution.

The CHAIRMAN. Any other members wish to speak to the resolution?

Senator Flake?

Senator FLAKE. Thank you, Mr. Chairman. I want to thank the committee for considering this resolution. I also want to thank Senator Markey for his work on this issue. Senator Coons and others have great interest here.

We are proposing three amendments on behalf of myself and Senator Markey to this measure to address the current state of the transition in power in the DRC. Senators Rubio, Isakson, Coons, Durbin, Murphy, and Sheehan are also cosponsoring these amendments.

According to the DRC's 2006 Constitution, the term of the current President, Mr. Kabila, expires at the end of this year, but he has taken no moves to show that he is willing to comply with the Constitution.

DRC security and intelligence officials have arrested and harassed and detained peaceful activists, and members of civil society, and we need to speak out here.

I am probably the last person to ever reach for sanctions, but we do want to authorize and encourage the State Department to use any diplomatic tool available, including sanctions on individuals, to encourage the Government there to move toward these elections.

I appreciate, again, Senator Markey and others who worked on this, and I appreciate the consideration today.

The CHAIRMAN. Thank you. Thanks for your work on this issue. Anyone else wish to speak?

Senator Markey?

Senator MARKEY. Thank you, Mr. Chairman.

Mr. Chairman, I want to thank you and thank Ranking Member Cardin, and most especially Senator Flake, our chairman on the Subcommittee on Africa and Global Health Policy, Senator Coons and other members who have shown an interest in this very important issue.

This resolution in support of the democratic electoral process in the Democratic Republic of the Congo makes a very important statement at a very critical time. Through 2015 and into 2016, we on this committee watched closely as government leaders in central Africa have increasingly appeared to back away from the promises of their democratic constitutions.

As we entered 2016, it appeared apparent that the Government of the Democratic Republic of Congo was doing little to prepare for the presidential election required to be held this November under the DRC's Constitution, and I became increasingly worried that the country was headed toward a constitutional crisis that carried with it a real risk of seriously destabilizing an already fragile country.

In February, I wrote to Secretary Kerry expressing concerns about delays in the DRC's electoral process and asking him to consider sanctions as a tool to press Congo's leadership to keep the promises of the country's Constitution.

This situation is not unique to the DRC. A similar crisis unfolded in neighboring Burundi last summer, but the international community was largely caught by surprise and acted too late to help Burundi avoid the crisis. That crisis has cost the lives of hundreds and displaced thousands.

The DRC is much larger, and what happens there will send much wider waves rippling in concentric circles across the region. If the DRC reneges on the promise of its democratic Constitution, there is every reason to believe that those waves will push forward tension, instability, and violence in the region.

But if the DRC's leader's keep faith with the people and fulfill the promise of the Constitution, those waves have the potential to carry the blessings of a better, more stable, more dignified and prosperous life for all of the people of the Congo and the wider region.

It is my strong believe that the surest way for the DRC to avoid crisis is for the government to demonstrate its commitment to the DRC Constitution by holding free and fair elections, and preparing for the transfer of power from the incumbent to a new leader.

Together with the administration's recent imposition of sanctions on Celestin Kanyama, the police commissioner of Kinshasa, for violence against civilians during a crackdown on democratic protests, this resolution sends a critical message of support to help the people of DRC.

It is important that the international community press leaders from across the DRC's political spectrum to keep the promises of the Constitution.

Our resolution calls on the government to respect the Constitution and to take concrete steps to organize the elections. We also call on the government and all other relevant parties to engage in a focused, urgent discussion on the nature of those elections.

Lastly, the resolution calls on the President of the United States to use appropriate means to help make sure these things take place and to consider additional targeted sanctions against anyone—government, opposition, or otherwise—found to be undermining the democratic process of the DRC.

I would like to share a story with you from my trip to New York this past weekend. The original cast of the Broadway play *Hamilton* staged their final performance on Saturday night. My wife and I went there for our wedding anniversary.

In the days since I have seen the play on Saturday, I have been thinking about how some of the same questions that faced our early leaders now face African countries working to fulfill the promises of their democratic constitutions.

There is a moment near the end of the play, an essential moment, both for the play and for our history as a country, in which George Washington confides in Alexander Hamilton that he intends to step aside at the end of his second term after 8 years in office. Hamilton, who was 40 at the time and had been working for Washington as his right-hand man since he was 22 years old, was distraught that the only leader our young country had ever known intended to step aside. He tried to convince Washington to change his mind, to continue to run for yet another term.

I was incredibly moved by how the performers captured this fundamental moment in American history. Against Hamilton's protests, Washington responded that by stepping aside, he was teaching the American people that democracy is not about personalities, and, just as importantly, he was teaching the presidents to follow him in learning how to say goodbye.

After doing his part to fulfill America's democratic Constitution, his final official act was to demonstrate that democracy does not depend on him or any other individual politician. He needed to show the American people that they must commit to democratic institutions over political personalities.

Last summer, I had the great pleasure of joining with Senator Flake and Senator Coons to accompany President Obama on his historic trip to Kenya and Ethiopia. On that trip, we attended a large public event at the African Union in Addis Ababa. Throughout the front of that massive auditorium sat many of Africa's heads of state, and the rest of the hall was filled with mostly young people from throughout all of Africa. The place was packed all the way up to the rafters.

President Obama delivered a speech about the responsibility that leaders have to build and to respect democracy in Africa. He reinforced a message he had delivered on his first trip to the continent as President years earlier, that Africa does not need strong men; it needs strong institutions.

As the President spoke, he looked at those leaders and told them that as much as he would like to continue in office as President of the United States, the Constitution of the United States, like many of the constitutions in Africa and around the world, limited him to two terms. He explained that even the President must respect the rules of the game because governance is fundamentally about trust, promises made and promises kept between elected leaders and the people who elected them. Changing or ignoring those rules risks breaking that trust and sending a society toward turmoil and instability.

Of all the great things Washington did for this country, perhaps the greatest was his decision to say goodbye. I find it very difficult to imagine that America would be what it is today if he had not made that decision.

What the DRC needs, and what I believe the Congolese people are demanding, is its leaders understand that they are not indispensable. Leaders who understand that they are merely players in a much larger and more important epic to build a Nation that lives up to the expectations of its people is what their story and our story is all about.

The United States has no interest and no say in which leaders the Congolese people choose, but we do care very deeply that the Congolese people have the opportunity to find their way through this democratic process promised in their Constitution.

So I thank you again, Mr. Chairman, Ranking Member Cardin, and, especially, Chairman Flake for making this resolution possible. I am very hopeful that it can move forward to the floor and pass the full Senate before we adjourn for the recess.

Thank you, Mr. Chairman.

The CHAIRMAN. We thank you.

And members do have the ability, if they so choose, to have written comments entered into the record, but we thank you for those.

Are there any further comments?

Yes?

Senator COONS. I will just briefly thank Senator Flake and Senator Markey for working hard to bring this important resolution forward today.

DRC is as large as all of Western Europe combined and has known more violence than almost any country on the continent. I think this is a great contribution.

Thank you.

The CHAIRMAN. Any other comments?

[No response.]

The CHAIRMAN. If not, if someone would make a motion that we approve this, I would appreciate it.

Senator CARDIN. We have some amendments, I think. Do we have the amendments?

The CHAIRMAN. Okay.

We would entertain a motion to approve all three Flake-Markey amendments en bloc by voice vote.

Senator CARDIN. So moved.

The CHAIRMAN. Is there a second?

Senator FLAKE. Second.

The CHAIRMAN. So moved and seconded.

The question is on the motion to approve all three Flake-Markey amendments en bloc by voice vote.

All in favor, say aye.

[A chorus of aye.]

The CHAIRMAN. All opposed?

[No response.]

The CHAIRMAN. With that, the ayes have it, and the amendments are agreed to.

Are there any further amendments?

[No response.]

The CHAIRMAN. Hearing none, is there a motion to approve the resolution as amended?

Senator CARDIN. So moved.

The CHAIRMAN. So moved.

And second?

Senator FLAKE. Second.

The CHAIRMAN. So moved and seconded.

The question is on the motion to approve S. Res. 485, as amended.

All in favor, say aye.

[A chorus of ayes.]

The CHAIRMAN. Opposed?

[No response.]

The CHAIRMAN. With that, the ayes have it, and the resolution, as amended, is agreed to.

Our next order of business that I would also like to consider en bloc by voice vote are the amazing resolutions before the committee: S. Res. 515; S. Con. Res. 42; S. Con. Res. 46; S. Res. 524, the Yemen resolution.

Senator Cardin, any comments?

Senator CARDIN. I support them all.

The CHAIRMAN. Senator Shaheen?

Senator SHAHEEN. Thank you, Mr. Chairman. I would like to be added as a cosponsor of S. Con. Res. 42, and I appreciate that we are taking this action at this time.

The CHAIRMAN. Without objection.

Senator Menendez?

Senator MENENDEZ. Mr. Chairman, briefly, I appreciate that we are moving the resolution calling on the Government of Iraq, the United Nations, and the United States Government to commit to expediting a workable resettlement process for the people of Camp Liberty.

And we were reminded of the danger they face just this past Fourth of July when attacks were once again upon Camp Liberty as a reality of everyday life there.

It is the United States, when we invaded Iraq, that went to the MEK and said we want you to give up your weapons and in return we guarantee you your security. We guarantee you your security.

Well, they did that and much more. They gave us information about Iran's nuclear program. They have continued to do so. And yet, we have not, from my perspective, done what is necessary to secure the guarantee that we gave them.

I hope this resolution moves forward so they can be resettled safely outside of Iraq and continue to enjoy the freedoms of liberty.

The CHAIRMAN. Any other members?

Senator Murphy?

Senator MURPHY. Thank you very much, Mr. Chairman. I want to thank you and Ranking Member Cardin for working with me on the resolution setting forth some basic guardrails on our priorities and concerns about the ongoing conflict in Yemen.

Clearly, this should be at the top of our priority list as a committee, given the fact that the United States is supporting, in a fairly major way, the coalition activities there. It is the latest front in the proxy war between the Saudis and the Iranians. It has led to close to 6,000 civilian deaths. It has proffered dramatic growth of AQAP and the entrance of ISIS into that conflict.

I think we have built a very fair-minded and balanced resolution that calls on both sides to reduce civilian casualties, to allow for humanitarian aid to flow into Yemen, and to support a peace-driven diplomatic process that is ongoing as we speak.

So I thank both of you for taking your time to put forward what I think is a very constructive resolution.

The CHAIRMAN. Thank you.

Any other comments?

[No response.]

The CHAIRMAN. If there is no further discussion on these resolutions, I would entertain a motion to approve all of these en bloc by voice vote.

Senator CARDIN. So moved.

The CHAIRMAN. Is there a second?

Senator RISCH. Second.

The CHAIRMAN. So moved and seconded. The question is on the motion to approve these resolutions en bloc.

All those in favor, say aye.

[A chorus of ayes.]

The CHAIRMAN. All opposed?

[No response.]

The CHAIRMAN. With that, the ayes have it. The resolutions are agreed to.

That completes our committee's business.

I ask unanimous consent that staff be authorized to make technical and conforming changes.

Without objection, so ordered.

With that, without objection, the committee business meeting will stand adjourned.

Senator RISCH. Mr. Chairman, before you adjourn, can I be recorded as no on Sobel, please?

The CHAIRMAN. Please record Senator Risch as a no on Sobel.

Anyone else?

The meeting is adjourned.

[Whereupon, at 10:28 a.m., the meeting was adjourned.]
