

BUSINESS MEETING

Wednesday, September 26, 2018

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

1 The committee met, pursuant to notice, at 11:00 a.m., in Room S-116, The Capitol,
2 Hon. Bob Corker, chairman of the committee, presiding.

3 Present: Senators Corker [presiding], Risch, Rubio, Flake, Gardner, Young,
4 Isakson, Portman, Paul, Menendez, Cardin, Shaheen, Coons, 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. This is quite a meeting where hopefully a number of
8 pieces of legislation will be passed out. So, I not only want to thank our staff and the
9 Menendez staff for working through these, but really everyone's staff who has been
10 involved. So, thank you all so much.

11 On the agenda today there are 13 pieces of legislation and three nominations.
12 First on the agenda is S. 1862, the Trafficking Victims Protection Reauthorization Act.
13 This bill marks an important step forward in the fight against human trafficking, and I
14 encourage all senators to support this bill to underscore our bipartisan commitment to

1 end modern slavery. The substitute amendment to this bill reflects the same consensus
2 we reached in this committee last year when we reported out S. 1848, to adjust the
3 requirements of the TIP report based on extensive hearings and oversight conducted by
4 the committee. It is also the product of a lengthy negotiating process with the House of
5 Representatives. I would like to thank Senators Menendez, Rubio, and Cardin for
6 working with us to support this important effort.

7 We will also be moving the House companion bill, H.R. 2200, the Frederick
8 Douglass Trafficking Victims Prevention and Protection Reauthorization Act, today.
9 The substitute amendment to H.R. 2200 also represents the product of extensive
10 negotiations with the House and makes changes to reconcile overlap between H.R. 2200
11 and S. 1862.

12 We will also consider S. 2736, the Asia Reassurance Initiative Act. I would like to
13 thank Senators Gardner and Markey for their continued leadership on U.S. policy in the
14 Indo-Pacific. And I want to thank the other co-sponsors on this committee for
15 supporting this legislation and Senator Menendez for working with us to strengthen the
16 underlying text and to move this important piece of legislation forward.

17 This bill provides a framework for a comprehensive approach to the region. The
18 legislation reaffirms key alliances, provides direction for strengthening key
19 partnerships, and underscores support for human rights and democratic values

1 throughout the region. At a time when North Korea dominates headlines about the
2 region, it is critical that we remind the American people of the breadth and scope of
3 U.S. political, economic, and security interests in the Indo-Pacific. This legislation will
4 do just that.

5 Next on the agenda is S. 3233, the Nicaragua Human Rights and Anticorruption
6 Act. I thank Senator Menendez for his leadership on this legislation and for working
7 with us to develop the substitute text before us today. The substitute amendment
8 combines S. 3233 and text from S. 2265, the Nicaraguan Investment Conditionality Act.
9 Both bills have numerous co-sponsors from both sides of the aisle. The current crisis in
10 Nicaragua began on April 18th, 2018, when university students began protesting
11 changes to the country's social security system. Soon, thousands of Nicaraguans took to
12 the streets to demand free elections and democratic reforms. Hundreds have been
13 killed, and negotiations mediated by the Catholic Church have so far failed to reach a
14 peaceful way forward.

15 This bill directs U.S. representatives at international financial institutions to
16 oppose any loan or financial assistance to the Nicaraguan government, and it applies
17 targeted sanctions until the Secretary of State certifies that the Government of
18 Nicaragua is combatting corruption, protecting civil rights, investigating and
19 prosecuting human rights violators, and holding free and fair elections.

1 H.R. 600, the Digital GAP Act, promotes global access to the internet by
2 encouraging "build-once" approaches for infrastructure projects in developing countries
3 and other activities to help expand internet access. The internet has contributed to
4 economic growth around the world and has the potential to help raise people out of
5 poverty. I would like to thank Senator Markey for his leadership on this bill and for
6 working with us to craft the substitute amendment.

7 Next, we will consider H.R. 1677, the Caesar Civilian Protection Act. I want to
8 thank Senator Menendez and our counterparts on the Foreign Affairs Committee for
9 working with us on the substitute amendment that we will consider today. This bill is
10 named for the Syrian activist and military defector known as "Caesar." In 2013, Caesar
11 smuggled tens of thousands of photos from Syria that documented the Assad regime's
12 torture of prisoners. Human Rights Watch later used these photos to conclude that at
13 least 6,786 detainees had died in prison by that point.

14 This bill seeks to counter the Assad regime's Russian-and Iranian-backed attacks
15 on civilians by sanctioning those who support the Assad regime's military, aircraft,
16 construction, and engineering sectors. It also sanctions those responsible for human
17 rights abuses against Syrian civilians and their families, whether or not those
18 individuals are currently based in Syria.

1 We will also consider S. 3257, the STOP Using Human Shields Act. The first
2 version of this legislation, which would sanction Hizballah members' use of human
3 shields, was introduced in the House by Congressman Mike Gallagher, who previously
4 served on our staff. I want to thank him for giving this heinous tactic the attention that
5 it deserves. I also want to recognize Senators Cruz and Donnelly for expanding the
6 sanctions in S. 3257 to also sanction members of Hamas and other terrorist groups for
7 their use of human shields. And I want to thank Senator Menendez for working with
8 us on the substitute amendment.

9 Next on the agenda is S. 3476, the PEPFAR Extension Act. Thank you, Senator
10 Menendez, for co-sponsoring this important piece of legislation. When PEPFAR first
11 started 15 years ago, there were only 50,000 people in Sub-Saharan Africa with access to
12 antiretroviral treatments. Today, in large part thanks to the United States, more than 14
13 million people are receiving treatment, and 2.2 million babies have born HIV free to
14 mothers kept alive and healthy by these treatments. PEPFAR continues to report
15 historic improvements, including, for the first time, significant declines in new HIV
16 diagnoses among adolescent girls and young women. I am glad to join in this
17 bipartisan effort to extend PEPFAR authorities, and I urge all of you to support this bill.

18 We also have on the agenda five resolutions: S. Res. 435, expressing the sense of
19 the Senate that the 85th anniversary of the Ukrainian famine of 1932-33, known as the

1 Holodomor, should serve as a reminder of repressive Soviet policies against the people
2 of Ukraine; S. Res. 481, calling upon the leadership of the Government of the
3 Democratic People's Republic of Korea to dismantle its labor camp system; S. Res. 562,
4 expressing the sense of the Senate that the Treaty on the Non-Proliferation of Nuclear
5 Weapons continues to make invaluable contribution to United States and international
6 security, 50 years after it opened for signature on July 1st, 1968; S. Res. 602, supporting
7 the agreement between Prime Minister Tsipras of Greece and Prime Minister Zaev of
8 Macedonia to resolve longstanding bilateral disputes; and S. Res. 634, commemorating
9 the 70th anniversary of the Berlin Airlift and honoring the veterans of this effort. I
10 would like to recognize Senators Portman, Hatch, Merkley, Murphy, and Risch for
11 sponsoring these resolutions and thank all of the resolution co-sponsors for their
12 support as well. I have received a letter to hold over S. Res. 562. We will consider this
13 resolution at the next business meeting.

14 And finally, and I am so sorry for this long opening, but a lot of work today.
15 Finally, we will consider the nomination of Mr. Francisco Luis Palmieri to be
16 ambassador to Honduras, which was held over from the last meeting. We will consider
17 the nominations of Senators Johnson and Merkley to be representatives to the 73rd
18 Session of the UN General Assembly.

1 With that, thankfully complete, Senator Menendez, would you like to add any
2 comments?

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

3 **SENATOR MENENDEZ.** Yes, thank you, Mr. Chairman. This is a robust agenda.
4 You have done a very admirable job of going through all of the legislation and
5 resolutions, all of which I support. I also support the nomination of Francisco Palmieri
6 to be the U.S. ambassador to Honduras, as well as the nominations of Senators Merkley
7 and Johnson. I know they will represent us well at the United Nations General
8 Assembly. Just a few comments, Mr. Chairman.

9 Let me start by thanking you for working with me to advance my legislation
10 addressing the crisis in Nicaragua, in which the Ortega government and its paramilitary
11 groups have killed more than 300 men, women, and children. Early in this crisis, a 15-
12 year-old protestor was shot in his throat by Ortega's security forces. And among his
13 dying words, he said "me duele respirar," which means "It hurts to breathe." His words
14 became a rallying cry to describe the suffering of the Nicaraguan people amidst this
15 wave of government-sponsored violence. This legislation is a response to that cry by
16 the Nicaraguan people. The substitute amendment we are voting on today expresses
17 support for a negotiated solution to the current crisis, includes targeted sanctions, and
18 infuses my original bill with a modified version of the Cruz-Leahy NICA Act.

1 We also have before us today the Corker-Menendez substitute amendment for S.
2 1862, the Trafficking Victims Protection Reauthorization Act, and H.R. 2200. My thanks
3 to you and your staff for your unwavering dedication to advancing this legislation and
4 for your passion on combatting human trafficking. The Corker-Menendez bill we will
5 consider today is a strong product that reflects the committee's bipartisan commitment
6 to end human trafficking.

7 Objectively evaluating countries' efforts is critical to the integrity of the TIP
8 report, but over the past few years we have seen political interference influence the
9 State Department's report and decision-making. S. 1862 seeks to rectify those problems,
10 including by strengthening the minimum standards countries must meet, clarifying
11 actions that countries must take to earn higher rankings, and enhancing transparency
12 and congressional oversight of the ranking process. I look forward to moving our bill
13 as well as the substitute amendment for H.R. 2200.

14 On H.R. 2200, my staff has been working with the HELP Committee to ensure
15 that certain labor trafficking reporting and training requirements are incorporated into
16 the bill, and I look forward to working with Senator Murray to achieve that goal prior to
17 passage of the bill. I look forward to seeing both of them become law.

18 Mr. Chairman, I am gratified that we are taking up the straight PEPFAR
19 reauthorization that you and I introduced, and I appreciate our mutual work on this

1 bill. PEPFAR has enabled more than 2.2 million babies of HIV positive mothers to be
2 born HIV negative, but there is still much more work to be done. More than 15 million
3 people who are HIV positive are not accessing treatment, and approximately 7,000
4 young women aged 15 to 24 years become infected with HIV each week. In light of this
5 need, I urge all of our colleagues to support reauthorization.

6 We have a number of resolutions on the agenda today. I support all of them,
7 and, in particular, I just want to highlight one: my support for Senator Portman's
8 resolution on the 85th anniversary of the Ukrainian famine of 1932 to 1933, known as
9 the Holodomor. This was one of the greatest tragedies of the 20th century, deliberately
10 engineered by the government of the then Soviet Union to break the Ukrainian national
11 resistance. Today, Ukraine faces threats from an ever-more aggressive Kremlin. We
12 have to continue to support Ukraine's efforts to counter Kremlin aggression and the
13 Ukrainian people's work towards strengthening democratic principles and full respect
14 for human rights. As a co-sponsor of the resolution, I wholeheartedly support its
15 passage. And as I said, Mr. Chairman, I support all the other pieces of legislation and
16 nominations as well.

17 **THE CHAIRMAN.** Thank you. Thank you so much. Do you want to say
18 something, Senator Coons?

1 **SENATOR COONS.** Could I just be added as a co-sponsor of S. 1862, TVPA, S.
2 3476, PEPFAR, and such other bills?

3 **THE CHAIRMAN.** Without objection.

4 **SENATOR COONS.** Thank you.

5 **THE CHAIRMAN.** Senator Risch?

6 **SENATOR RISCH.** Mr. Chairman, I would like to speak briefly about Senate Res.
7 634, which celebrates the 70th anniversary of the Berlin Airlift. The reason for this and
8 the purpose of it is, there is a lot of discussion going on about the transatlantic
9 relationship right now. I think it is important that we look at and refresh our memories
10 about the airlift and how critical it was in establishing NATO. Now, West Germany
11 itself did not join NATO until 1955, but the airlift helped frame the U.S.-German
12 relationship and friendship as it exists even today. Thank you, Mr. Chairman.

13 **THE CHAIRMAN.** Thank you.

14 **SENATOR RUBIO.** Mr. Chairman?

15 **THE CHAIRMAN.** Yes?

16 **SENATOR RUBIO.** I just wanted to first briefly comment on the NICA Act, the
17 Nicaraguan Human Rights and Anti-Corruption Act. Senator Menendez has covered
18 most of it. I would just add that the situation there is one in which this government,
19 facing widespread protests, has gone out and basically hired thugs, street gangs, to go

1 out and kill people on behalf of the government and precipitating the crisis that we now
2 see there. I would argue that in addition to the human rights aspect of it, the United
3 States has a national interest in this matter.

4 Number one, Nicaragua is not currently a transit point for drugs headed to the
5 United States. Even if stability continues, it could very well become one. Second, if this
6 triggers a migratory crisis like what we are seeing in Venezuela, it would further
7 destabilize already -- countries that are already struggling -- Honduras, Guatemala, El
8 Salvador, and Costa Rica -- that is growing increasingly worrisome in terms of the
9 challenges they face.

10 All these things become transit points for cocaine to be poured into the United
11 States. Again, not to mention our interest in democracy and human rights, which is
12 paramount, I would add that what they are trying to pull off in Nicaragua is now a
13 troubling trend, and that is the ability of autocrats to, through sheer oppression, hold on
14 to power and be accepted over time because of -- people grow tired and focus on
15 something else. That is what they are trying to pull off in Venezuela. It is what I fear
16 may happen in Nicaragua. So, I am grateful we are pulling this up.

17 I had asked to delay, and we did, the nomination today. I am not opposing the
18 nomination of Mr. Palmieri. I do want to point out that I have and will continue to
19 engage with him on a series of questions. He was in charge of the Western Hemisphere

1 Affairs at the time of the attacks on our personnel in Havana. I think setting aside for a
2 moment who is responsible for it -- people can debate that -- I think we can all agree
3 that the safety and security of American personnel stationed abroad should always be
4 paramount. And I am concerned and want deeper answers as to how this was handled,
5 how quickly did they know about it, how quickly was it reported up the chain, and how
6 this matter was handled for purposes of the safety of the people that were working
7 there, which is the one thing I think everyone can agree on no matter what we feel
8 about Cuba policy.

9 We cannot be sending people into harm's way to represent this country around
10 the world and then not fight and stand up for them when they are harmed. And if our
11 State Department has failed in reporting that and starting the review process in
12 addressing these complaints, it is the job of this committee to conduct that oversight.
13 And so, I hope we will get some clear answers, not just the sort of stuff that is already
14 publicly out there. Who knew it, when did they know it, and what did they do
15 immediately about it? I want to make sure that these people who work for this country
16 abroad were treated and that in the future this does not happen to anybody. So, thank
17 you.

18 **THE CHAIRMAN.** No, thank you.

19 **SENATOR CARDIN.** Mr. Chairman?

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

2 **SENATOR GARDNER.** Would you prefer that we wait for the bill to come up
3 before we make comments?

4 **THE CHAIRMAN.** Maybe, yeah. Yeah, yeah, thank you. Thanks for asking, and
5 thanks for your great work and patience. So, with that, we will just move through. I do
6 want to say that on the Nicaragua issue, our own Caleb McCarry took off and spent a
7 substantial amount of time trying to bring the Catholic Church and the Ortegas
8 together. Eventually, all that you said, Senator Rubio and Senator Menendez, has
9 happened, and obviously we are very, very supportive of this piece of legislation, and
10 saddened -- saddened -- that the leadership of Nicaragua is taking the approach they
11 have taken. So, I thank all of you.

12 **SENATOR CARDIN.** Mr. Chairman, I was going to speak on Nicaragua, even
13 right now if I might just for one moment.

14 **THE CHAIRMAN.** Sure.

15 **SENATOR CARDIN.** And that is I strongly support this legislation, and thank
16 you for your work on it and the staff's work on it, and also strengthening civil societies
17 within Nicaragua. And I appreciate the fact that you were able to include that also.

1 **THE CHAIRMAN.** Thank you. With that, we will move to S. 1862, the Trafficking
2 Victims Protection Reauthorization Act. Are there any additional comments before we
3 approve it?

4 [No response.]

5 **THE CHAIRMAN.** Without objection, we will now consider the substitute
6 amendment.

7 All those 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 substitute amendment is
12 agreed to.

13 Is there a motion to approve S. 1862, as amended?

14 **SENATOR MENENDEZ.** So moved.

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

16 **VOICE.** Second.

17 **THE CHAIRMAN.** So moved and seconded. The question is on the motion to
18 approve S. 1862, as amended.

19 All those in favor, say aye.

1 [A chorus of ayes.]

2 **THE CHAIRMAN.** Opposed?

3 [No response.]

4 **THE CHAIRMAN.** With that, the ayes have it, and the legislation is agreed to.

5 Now, we will move to H.R. 2200, the Frederick Douglass Trafficking Victims
6 Prevention and Protection Reauthorization Act. Without objection, we will first
7 consider the substitute amendment.

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 substitute amendment is
13 agreed to.

14 I understand that Senator Paul has an amendment. Would you like to speak to
15 it?

16 **SENATOR PAUL.** Yes. I think that the committee is right to be greatly concerned
17 with sexual trafficking and abuse of young people around the world in a variety of
18 countries. I think we should not turn a blind eye towards when our allies are
19 responsible for this as well. In Afghanistan, there has been much reporting of Afghan

1 leaders using bacha bazi boys for sex as young as 10 years old, and this is a very
2 common practice.

3 I have a quote from Dan Quinn, a former special forces captain, who actually
4 beat up an American-backed militia commander for keeping a boy of approximately 10
5 years of age chained to his bed as a sex slave. His complaint was we were putting into
6 power those who could make things even far worse than things the Taliban did, and
7 that these views were expressed to him as he traveled throughout Afghanistan.

8 My amendment would say that no Afghan entity is allowed to receive funds
9 from the U.S. until the special inspector general of SIGAR verifies that there are no child
10 soldiers or sex slaves, commonly known as bacha bazi, being utilized by any individual
11 or unit within the Department.

12 **THE CHAIRMAN.** Thank you for your amendment. I have a second degree to it
13 that we will consider first, the Corker second degree amendment to the Paul first degree
14 amendment. And I want to thank Senator Menendez for his support of this second
15 degree amendment.

16 While I enthusiastically support the spirit of Senator Paul's amendment and
17 understand what he is trying to do, I have major concerns with the approach his
18 amendment takes. It would guarantee the withdrawal of U.S. support for Afghanistan
19 by setting an unachievable standard: requiring a SIGAR verification that there is zero

1 cases of sexual slavery, or the utilization of child soldiers by any unit, or even
2 individual, within the Afghan military or police forces. Such a withdrawal would not
3 only be problematic from a broad U.S. national security standpoint, it would also
4 exacerbate the very issues the amendment seeks to address, essentially eliminating our
5 opportunity to bring these abhorrent practices to an end on the ground.

6 The second degree amendment that I am offering, I think, is a much more
7 balanced approach, one that protects our ability to continue defending our national
8 security interests in Afghanistan and enhances our ability to effectively influence
9 Afghan authorities to confront these abhorrent activities that are taking place. Is there
10 any more -- any discussion on the second degree amendment?

11 **SENATOR PAUL.** Yeah, I would like to speak in opposition to it. I think that
12 basically you would gut the entire enforcement mechanism, and I think by doing so,
13 you really do not show significant concern for what is happening to these boys. You are
14 going to have a report instead of a punishment. My amendment would actually punish
15 them by removing funds. It is a real punishment and might have some effect.

16 Having a report on this will have no effect, and I think essentially turns a blind
17 eye to a horrific practice that is going on there. And I think to say, well, we could never
18 have zero tolerance, well, I think many of us here would say we should have zero
19 tolerance for having sex slaves. We cannot have zero tolerance for sex slaves? Sure we

1 should. And if there is evidence of it, they should not be getting any of our money.

2 And so, I absolutely think that we need to a stronger version of it, and that the second
3 degree would gut it and make it meaningless, and, in essence, show tacit support for
4 allowing the practice to continue.

5 **THE CHAIRMAN.** Yeah. I think the second degree actually forces us to implement
6 those changes and would actually make a difference, whereas a total withdrawal from
7 Afghanistan would not.

8 All those in favor of the Corker Amendment.

9 **SENATOR PAUL.** I would request a roll call vote.

10 **THE CHAIRMAN.** Okay. All those in favor? The clerk will call the roll.

11 **THE CLERK.** Mr. Risch?

12 **SENATOR RISCH.** Aye.

13 **THE CLERK.** Mr. Rubio?

14 **SENATOR RUBIO.** Aye.

15 **THE CLERK.** Mr. Johnson?

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

17 **THE CLERK.** Mr. Flake?

18 **SENATOR FLAKE.** Aye.

19 **THE CLERK.** Mr. Gardner?

1 **SENATOR GARDNER.** Aye.

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

3 **THE CHAIRMAN.** Aye by proxy.

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

5 **THE CHAIRMAN.** Aye by proxy.

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

7 **SENATOR ISAKSON.** Aye.

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

9 **THE CHAIRMAN.** Aye by proxy.

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

11 **SENATOR PAUL.** No.

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

13 **SENATOR MENENDEZ.** Aye.

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

15 **SENATOR CARDIN.** Aye.

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

17 **SENATOR SHAHEEN.** Aye.

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

19 **SENATOR COONS.** Aye.

1 THE CLERK. Mr. Udall?

2 SENATOR UDALL. [No response.]

3 THE CLERK. Mr. Murphy?

4 SENATOR MURPHY. Aye.

5 THE CLERK. Mr. Kaine?

6 SENATOR KAINÉ. Aye.

7 THE CLERK. Mr. Markey?

8 SENATOR MARKEY. Aye.

9 THE CLERK. Mr. Merkley?

10 SENATOR MERKLEY. No.

11 THE CLERK. Mr. Booker?

12 SENATOR BOOKER. Aye.

13 THE CLERK. Mr. Chairman?

14 THE CHAIRMAN. Aye. The clerk will report.

15 THE CLERK. Mr. Chairman, the yeas are 18, the nays are 2.

16 THE CHAIRMAN. The ayes have it, and the amendment is agreed to.

17 Now we will vote on the Paul first degree amendment, as amended by the

18 Corker second degree amendment.

19 All those in favor, say aye.

1 [A chorus of ayes.]

2 **THE CHAIRMAN.** All opposed?

3 [No response.]

4 **THE CHAIRMAN.** With that, the ayes have it, and the amendment, as modified, is
5 agreed to.

6 Senator Cardin also has filed three first degree amendments. Senator Cardin,
7 would you like to speak to them?

8 **SENATOR CARDIN.** So, I understand that we can consider these en bloc?

9 **THE CHAIRMAN.** That is correct.

10 **SENATOR CARDIN.** I thank the chairman and ranking member for helping me
11 deal with these amendments. They deal with references to the Global Magnitsky
12 sanctions. It also deals with understanding the cause of the -- of child trafficking, and I
13 would urge our colleagues to support them.

14 **THE CHAIRMAN.** Without anyone else wishing to speak, all those in favor of
15 passing these en bloc, say aye.

16 [A chorus of ayes.]

17 **THE CHAIRMAN.** Opposed?

18 [No response.]

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

1 Is there a motion to approve H.R. 2200, as amended?

2 **SENATOR MENENDEZ.** So moved.

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

4 **SENATOR SHAHEEN.** Second.

5 **THE CHAIRMAN.** So moved and seconded. The question is on the motion to
6 approve H.R. 2200, as amended.

7 All those 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 legislation is agreed to.

12 Next, we will move to S. 2736, the Asia Reassurance Initiative Act. Are there any
13 senators who would like to comment? Yes, sir.

14 **SENATOR GARDNER.** Thank you, Mr. Chairman. I thank you, Mr. Chairman, and
15 the ranking member, and Senator Cardin, and Senator Markey for co-sponsoring this
16 legislation. This has been a several years' project that we have worked on to create an
17 Indo-Pacific strategy. When I took over the Subcommittee on East Asia, it became very
18 clear in conversations throughout the region that U.S. presence was a concern, and U.S.
19 commitment to the region was a concern.

1 Building off of the Asia-Pacific Security Initiative that was included in the
2 legislation, working with PACOM, the State Department, and Senator Kaine, we have
3 created a very strong bill to provide security opportunities for routine sales imported to
4 Taiwan, language toward most of the countries throughout Asia as it relates to our
5 security alliances, and agreements, and partnerships, freedom of navigation operations
6 through the South China Sea, and opportunities to engage in counterterrorism
7 operations, maritime domain awareness.

8 And the economic provisions of the legislation built on multilateral and bilateral
9 trade agreements throughout Asia and increasing U.S. trade opportunities for energy,
10 like renewable energy, opportunities, addressing some environmental challenges
11 throughout Asia, and creating U.S. partnerships with those environmental concerns,
12 like Vietnam, and Mekong Delta issues, and others. And then the rule of law and
13 human rights, to provide additional funding for the U.S. efforts throughout the region
14 and human rights topic and make sure that we provide funding in the region to
15 highlight actions and activities that we find offensive to U.S. values and norms, and
16 whether that is the Jalen Weavers in China, or whether that is the detain -- detainment
17 of -- detention of Radio Free Asia reporters by China, or Burmese refugees in Rohingya
18 and others' treatment throughout the region, and what we would highlight in U.S.
19 values.

1 So, I thank Senator Markey for his work and cooperation on this bipartisan
2 legislation. I have two things for the record. One is a letter of support, a joint letter
3 from Secretary Mattis and Secretary Pompeo supporting the legislation, and the U.S.
4 Chamber of Commerce, senior vice president for Asia, Charles Freeman, in support of
5 the legislation. But I thank all of you who have been a part of the nearly dozen hearings
6 we have had over the past couple of years for this legislation we have got.

7 **[The information referred to is located at the end**
8 **of this transcript, beginning on page 52.]**

9 **SENATOR CARDIN.** Mr. Chairman.

10 **THE CHAIRMAN.** Thank you, and Senator Markey, you are all things Asia-Pacific
11 and you have done your homework here, and built incredible support. And I thank
12 you both for your patience, but also your tenacity and diligence. Yes, sir.

13 **SENATOR CARDIN.** I also want to acknowledge Senator Gardner's
14 extraordinary leadership over a period of time now in East-Asia and the Pacific and
15 working with Senator Markey. So, I think this legislation is -- reflects that commitment
16 that you have made. I support the chairman's substitute, which includes an
17 amendment I offered that would be the sense of Congress in support of women's
18 economic rights in Asia. As you pointed out, Senator Gardner, the bill is strong in

1 dealing with human rights and good governance, et cetera, and I think, particularly in
2 that region, we need to stress the rights of women.

3 **THE CHAIRMAN.** Senator Markey.

4 **SENATOR MARKEY.** Thank you so much. Senator Gardner has given you the
5 parameters of the legislation and the 11 hearings, which we had, and I just would like to
6 give assurances to people that it was completely bipartisan, the witnesses that were
7 selected, the subjects that were discussed, the issues that were finally resolved and
8 included in this legislation. It was really a model, and I thank you, Senator Gardner, for
9 conducting those hearings and the construction of the legislation in that way. And of
10 course I want to thank you, Mr. Chairman, Senator Menendez, and all the staffs for
11 everything you have done to try to help to ensure that this was a bill that could be as
12 comprehensive as it is, and it is, that it deals with as many issues as it does. But just
13 coming back to something that I would say, that it is a model for the way in which
14 legislation of this magnitude should be constructed. So, I thank you.

15 **THE CHAIRMAN.** It is. Thank you. I thank you both. Senator Merkley.

16 **SENATOR MERKLEY.** Thank you, Mr. Chairman. There is a provision in this act
17 that I have a strong difference with. And I would have liked to have presented an
18 amendment on that when this was distributed as I am representing this committee at

1 the UN General Assembly, but I have been told that there will be an objection if I
2 present it, so I will just explain what it is.

3 But first, the overall sense of this effort is really to be commended. The work that
4 Senator Gardner has done, the work that Senator Markey has done, and so many
5 participating in these hearings put forth this vision. The issue that I would like for us to
6 have discussed, Senator Gardner has agreed to work with me to make sure that if this
7 bill is on the floor, it will be discussed, if that is a fair way to represent it?

8 **SENATOR GARDNER.** Yes.

9 **SENATOR MERKLEY.** And I appreciate that. There is a provision on page 49 that
10 refers to the U.S. should support LNG exports to the Indo-Pacific region. We are at a
11 point in human civilization right now where carbon pollution worldwide is
12 accelerating, not decreasing, despite the work that has been done in Paris and
13 thereafter. We are seeing phenomenal consequences from this pollution, including the
14 fires throughout the northwest of the United States, the storms throughout the East
15 Coast and the southeast, and so much more besides: the moose dying in the State of
16 New Hampshire, a whole host of impacts that were estimated to be several hundred
17 billion dollars of damage in 2017.

18 If we lock the world into another generation of burning fossil fuels, we will have
19 done massive damage to this planet, and it is the only planet we have. In just the 10

1 years that I have been serving in this U.S. Senate, half the coral reefs in the world have
2 been profoundly damaged or have died. We now have to change the acidity of the
3 Pacific Ocean in order for oysters to reproduce on the West Coast of the United States of
4 America. We cannot continue to ignore this problem.

5 I would like to see us to have debated this today. We have to have this
6 conversation. Despite the economic winds that -- in the short term that can occur from
7 one more fossil fuel project, there is huge economic losses and damage that are
8 occurring. So, I appreciate that the sponsor will work to have this issue debated on the
9 floor, and I will support this bill today thanks to the courtesy of the sponsors to address
10 this on the floor.

11 **THE CHAIRMAN.** Well, thank you for understanding that we need to keep some
12 type of format here, and I appreciate that, and I appreciate the way Senator Gardner is
13 willing to work with you.

14 **SENATOR GARDNER.** Mr. Chairman, I would like to say thank you to Senator
15 Merkley as well, and I look forward to working with you to get this in shape.

16 **SENATOR MERKLEY.** Thank you.

17 **THE CHAIRMAN.** So, without objection, we will now consider the substitute
18 amendment, as modified by the Cardin first degree amendment.

19 All those in favor, say aye.

1 [A chorus of ayes.]

2 **THE CHAIRMAN.** Opposed?

3 [No response.]

4 **THE CHAIRMAN.** With that, the ayes have it. The substitute amendment, as
5 modified by the Cardin amendment, is agreed to.

6 Is there a motion to approve S. 2736, as amended?

7 **SENATOR MURPHY.** So moved.

8 **SENATOR MENENDEZ.** Second.

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

10 **VOICE.** Second.

11 **THE CHAIRMAN.** So moved and seconded. The question is on the motion to
12 approve S. 2736, as amended.

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 it, and the legislation is agreed to.

18 Now we will move to S. 3233, the Nicaragua Human Rights and Anticorruption
19 Act. Would any senators like to comment further on this bill?

1 [No response.]

2 **THE CHAIRMAN.** Without objection, we will now consider the manager's
3 amendment, which incorporates elements of the Cardin and Rubio first degree
4 amendments and makes technical changes to the sanctions provisions.

5 All those in favor of the manager's amendment, 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 manager's amendment is
10 agreed to.

11 Is there a motion to approve S. 3233, as amended?

12 **SENATOR MENENDEZ.** So moved.

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

14 **VOICE.** Second.

15 **THE CHAIRMAN.** So moved and seconded. The question is on the motion to
16 approve S. 3233, as amended.

17 All those in favor, say aye.

18 [A chorus of ayes.]

19 **THE CHAIRMAN.** Opposed?

1 [No response.]

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

3 Next on the agenda is H.R. 600, the Digital GAP Act. Are there any comments on
4 this bill?

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

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

7 **SENATOR MARKEY.** Thank you, Mr. Chairman. In the developing world, from,
8 I think, all of our perspective, it is critical that we work even harder to break down the
9 digital divide so that we can telescope the time frame which it takes for markets to
10 develop in developing countries, in this internet economy, which is the economy of the
11 21st century. And what this bill will do is just to direct to the State Department, to
12 USAID, to the Peace Corps, to all of our agencies that they have to prioritize the work
13 which they do in helping for the development of these internet communication systems,
14 telecommunication systems, which ultimately are at the heart of this explosive growth
15 in the United States.

16 And the faster that we can help them to achieve it in Third World countries and
17 developing countries is the faster that they can just move, as they have with energy in
18 many countries from the old to the new. We need to do the same thing here in
19 telecommunications because ultimately, that is the market-based system which is going

1 to transform this country. So, I thank you, again, Mr. Chairman. I thank Senator
2 Menendez for your help on this legislation.

3 **THE CHAIRMAN.** Thank you so much. Without objection, we will now consider
4 the substitute amendment. All those in favor, say aye.

5 [A chorus of ayes.]

6 **THE CHAIRMAN.** Opposed?

7 [No response.]

8 **THE CHAIRMAN.** With that, the ayes have it. The substitute amendment is
9 agreed to.

10 Is there a motion to approve H.R. 600, as amended?

11 **SENATOR MENENDEZ.** So moved.

12 **THE CHAIRMAN.** Second?

13 **SENATOR SHAHEEN.** Second.

14 **THE CHAIRMAN.** Thank you so much. So moved and seconded. The question is
15 on the motion to approve H.R. 600, as amended.

16 All those in favor, say aye.

17 [A chorus of ayes.]

18 **THE CHAIRMAN.** Opposed?

19 [No response.]

1 **THE CHAIRMAN.** With that, the ayes have it, and the legislation is agreed to.

2 Next up is H.R. 1677, the Caesar Syria Civilian Protection Act. I filed a first
3 degree amendment to make a technical clarification that reflects how the Treasury
4 Department administers sanctions. Are there any comments on this bill?

5 [No response.]

6 **THE CHAIRMAN.** Without objection, we will now consider the substitute
7 amendment, as modified by the Corker first degree amendment.

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. The substitute amendment, as
13 modified by the Corker first degree amendment, is agreed to.

14 Are there any other amendments?

15 **SENATOR PAUL.** Yes.

16 **THE CHAIRMAN.** Senator Paul.

17 **SENATOR PAUL.** I think there is a larger discussion here. We kind of
18 approached it a little bit more at one of our recent hearings when the chairman asked
19 the question, which I think is a very important question, are we seeing a change in

1 behavior with sanctions, and I think the acknowledgement is that we are not. I think as
2 we look at sanctions, all sanctions are not the same either, and that we should perhaps
3 whether or not it is a good idea to sanction dialogue.

4 Let us say, for example, that you want to admonish the Russians, but you are not
5 allowed to have any dialogue with Russian legislators. I think it is a mistake to sanction
6 specific legislators from traveling to this country, and I think it would be better if, even
7 in the midst of adding more sanctions, we considered removing some sanctions on
8 dialogue.

9 What my amendment would do would be to say that upon the Russians
10 removing sanctions on our legislators that are currently sanctioned, we would remove
11 the sanctions on theirs. And I think this would be a reciprocal trade that would be
12 worthwhile. Currently, we sanction simply their chairman of their foreign relations
13 committee in their upper body and their lower body simply for their position. Not for
14 cause, but simply for their position and maybe for their political viewpoint or things
15 that they have said. But really, in general, for things that Russia has done at large.

16 So, I think it is worth considering amidst Russia, adding more sanctions, whether
17 or not sanctioning dialogue is useful and whether or not we ought to consider an
18 exemption to sanctioning dialogue, and see if we could actually get more dialogue
19 between us and Russian legislators.

1 **THE CHAIRMAN.** Senator Cardin?

2 **SENATOR CARDIN.** Well, I thank Senator Paul for his explanation. I strongly
3 disagree and would urge my colleagues to reject this. The sanctions that are imposed
4 on the parliamentarians in Russia are not imposed because of their position. It is
5 because of what they have done in regards to the tragedy of Sergei Magnitsky. I am all
6 for dialogue. I am for all dialogue. But your amendment would suggest that there is an
7 equal accountability on what Russia is doing in its retaliatory sanctions than what the
8 United States did in the process of imposing Magnitsky sanctions.

9 There is a long process that you go through, including in the Treasury, which is a
10 pretty high standard before someone is placed on the -- on the Magnitsky list. So, I just
11 take exception that there is any equal aspect to sanctions that are imposed under the
12 process we use under the Sergei Magnitsky Act and what Russia did in --

13 **SENATOR PAUL.** Can I make a really quick response because I think there is a
14 factual misunderstanding here. None of the people that we would be removing
15 sanctions on have been sanctioned under the Magnitsky Act or from Treasury. These
16 are separate. There are 28 people that we sanctioned in Russia. Twenty-six of the 28
17 were simply sanctioned for policy. Twenty-two are sanctioned, but one by Magnitsky
18 Act and one by Treasury for cause. So, there are two of the 28 that are for cause.

1 Twenty-six have nothing to do, and so do we not touch the Magnitsky Act, and we do
2 not relieve anybody of sanction by the Magnitsky Act.

3 **SENATOR CARDIN.** But every one of the legislative sanctions was done as a
4 reaction to what -- to sanction activity that was justified against Russia. Do not
5 legitimate that by saying there is any equation at all between what Russia has done and
6 what the United States --

7 **SENATOR PAUL.** I am not saying that. I am just simply saying --

8 **SENATOR CARDIN.** You did. You are saying --

9 **SENATOR PAUL.** Well, I am simply saying that there is a question of whether or
10 not it is a good idea to sanction dialogue and diplomacy. I think that is what we are
11 doing here.

12 **SENATOR CARDIN.** To the contrary. What we are doing is standing up against
13 Russia's activities, and those individuals that participated in those activities. And if we
14 were to say -- you are rewarding Russia if you were to say that -- it worked by
15 sanctioning, and we should acknowledge that some of us do have conflicts on this
16 because we are sanctioned. But it is ridiculous to legitimate what Russia did by
17 rewarding them, by removing sanctions that were applied for legitimate reasons under
18 process here in the United States. I would strongly disagree with my colleague.

19 **THE CHAIRMAN.** Senator Shaheen.

1 SENATOR SHAHEEN. Well, philosophically, I agree with Senator Paul that
2 dialogue is a good thing, and if we were dealing with an honest broker here, that there
3 might be some merit in trying to do this. But these are sanctions that have been
4 imposed because of Russia's actions: their actions to interfere in our elections, their
5 actions to occupy Ukraine and Crimea and basically seize Crimea, their actions in the
6 Middle East. And, you know, as Senator Cardin said, if we are willing to forego those
7 sanctions, then we essentially are allowing approval of what Russia has done.

8 And I also have a personal perspective, not just because, like others here, I have
9 been sanctioned by Russia in terms of going there, but I managed a program when I
10 was at the Kennedy School that for a period of time brought in members of the Duma to
11 try and help them move towards democracy and to look at democratic processes. And
12 what we discovered was that the members who came over were, in fact, not coming
13 over because they wanted to know about democracy building and about civil society.
14 They were oligarchs. They were thugs, basically criminals in many cases, who were
15 coming because it was a way to get a visa to come to the United States to shop, to do
16 whatever they wanted. And I think we would open a door to that by passing
17 something like this.

18 So, I am totally opposed as long as Russia continues to behave the way they are
19 for us to reduce our ability to sanction them for those actions.

1 **THE CHAIRMAN.** Senator Menendez.

2 **SENATOR MENENDEZ.** Yeah, I am one of the legislators who is on the Russian
3 government's sanctions list. And I think suggesting a moral equivalency between the
4 actions that I and other senators here have taken to support U.S. policy to respond to a
5 military invasion and other forms of Kremlin aggression and the actions of Duma
6 members, who have been part and parcel of that aggression, is just simply wrong.

7 Sanctions should be imposed as consequences for actual behavior, and
8 accordingly, they should be lifted when that behavior changes. And so, I see no reason
9 at this time to modify our approach to the Kremlin's attacks against the U.S. and our
10 allies, and I am really not holding my breath that the Kremlin's most sycophantic Duma
11 enablers will soon change course. If for some reason they do, the Administration can
12 move to change its Russia-related sanctions posture with the Senate's consultation and
13 approval, as we established overwhelmingly in our bipartisan CAATSA legislation that
14 is now law. But I do not believe a fawning statement from the committee will facilitate
15 that, so I am strongly opposed to the amendment.

16 **THE CHAIRMAN.** Senator Gardner.

17 **SENATOR GARDNER.** Thank you, Mr. Chairman. I think Senator Paul started an
18 important conversation here. I am not ready to support this amendment yet, but I do
19 think all of us have had members of legislatures or parliaments around the country in

1 our offices probably every week, and the conversations and relationships we build with
2 them are important. I think I want to continue the conversation on this, Senator Paul. I
3 will not be supporting the amendment today, but I do think it is -- engagement with
4 leaders around the globe is important.

5 **THE CHAIRMAN.** Senator Merkley.

6 **SENATOR MERKLEY.** I want to echo the comments of Senator Gardner. I cannot
7 support it at this moment in this fashion. I do believe that if this involved individuals
8 whose lone actions had been beyond reproach, and that this was tailored simply to
9 being able to visit each other's offices for conversations and not a lifting of all the travel
10 restrictions that we have imposed, that we would have a stronger argument here.

11 I do think we have difficult issues with Russia in which legislator-to-legislator
12 discussions are part of our work in the U.S. Senate. But in no way should we act in a
13 fashion which says individuals who were responsible for the invasion of Crimea, the
14 occupation of Eastern Ukraine, the interference with American elections, or any other of
15 the bad deeds of Russia, in no case should those individuals be-- should sanctions be
16 decreased.

17 **SENATOR PAUL.** I would just like to make a short response, is that if we had in
18 the 1970s decided that we would have no travel between our legislators, you might not
19 have seen a young Gorbachev travel to the United States. You might not have seen

1 somebody who eventually became the leader who actually did open relations between
2 the East and the West.

3 The 26 people are not being sanctioned for cause. None of them are being
4 sanctioned under the Magnitsky Act. None of them are sanctioned for anything
5 individually. It is for policy. So, we have 26 people we are talking about. Is there a
6 possibility among the 26 that there might the next leader of Russia in 10 years or 20
7 years or maybe a year? There might be. To say we will not talk with the legislators and
8 we will not have any kind of exchange of information, even criticism of the Russians,
9 precluding that dialogue precludes any possibility of diplomacy.

10 It is said that, well, we do not want to talk with people we do not trust. That is
11 exactly who you need to talk to. I mean, it is easy to talk to England. It is easy to talk to
12 Germany, to France, to people we have a great deal in common with. It is probably
13 more important that we talk with people we do not have things in common with for
14 which we have disagreements. We have things like the INF Treaty that we have
15 problems. They say we are in violation, and we say they are in violation. We have the
16 New START Treaty. We have all of these things around which we should be
17 developing dialogue.

18 The idea that we are not going to have any dialogue implies that sanctions are
19 going to work the same way dropping nuclear weapons on Hiroshima worked, that we

1 will get an unconditional surrender someday from Russia. That is not going to happen,
2 the same way sanctioning China. China is not going to surrender. Everybody is
3 jumping up and down, they are wanting to sanction China. It is not going to work. It is
4 not going to work with Russia either.

5 I think we at least should have some escape valve for which we would have
6 conversation. Right now we have almost no conversation, and I would say that our
7 dialogue is, by many accounts, as bad as it has been during -- throughout the entire
8 Cold War. I think it is a very modest proposal actually to talk about removing sanctions
9 from legislators in exchange for them removing sanctions. It would mean more
10 dialogue.

11 And I find it really hard to believe that there are no voices for having dialogue
12 with even our adversaries. It is not making moral equivalency. It is not sanctioning
13 anything that Russia has done. It is actually having a forum where you can tell them it
14 is not morally equivalent, that you object to their incursions into Ukraine, object to the
15 election meddling. We cannot even complain to them because we do not have a
16 dialogue.

17 So, I would request that everybody be put on the record on this. And everybody
18 has their own opinion and your own right to vote whichever way you want, but I
19 would like to see a recorded vote.

1 **SENATOR MENENDEZ.** Mr. Chairman.

2 **THE CHAIRMAN.** If I could say one thing. There are -- the reason these people are
3 being sanctioned is the Duma authorized the invasion of Ukraine. These people are
4 leaders on foreign policy, and they caused the Duma to authorize the invasion of
5 Ukraine and things that might change there. Secondly, our staff counted it. There are
6 over 600 people in the Duma that we can meet with now that do not have sanctions,
7 and, I might add, we can meet with them if you wish. You can meet with them in Israel
8 or some other place in neutral territory. So, this does not keep us from having dialogue.
9 I see these folks at the Munich Security Conference and other places.

10 So, look, I am all for dialogue, but I agree with those who are saying we should
11 not create equivalency here. I strongly oppose this piece of -- this amendment. And I
12 am worried about us losing that quorum, but --

13 **SENATOR MENENDEZ.** Very briefly, Mr. Chairman. Kosachev, who is the chair
14 of the Duma Foreign Relations Committee, was sanctioned for his role in the illegal
15 annexation of Crimea. He is the one who passed it into law into the Duma. So, to me,
16 that is spot on in terms of committing actions that ultimately should be sanctioned.

17 **THE CHAIRMAN.** The vote is on the first degree amendment, which Senator Paul
18 has offered, and the clerk will call the roll.

19 **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 **SENATOR GARDNER.** No.

10 **THE CLERK.** Mr. Young?

11 **THE CHAIRMAN.** No by proxy.

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

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

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

15 **SENATOR ISAKSON.** No.

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

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

18 **THE CLERK.** Mr. Paul?

19 **SENATOR PAUL.** Aye.

1 THE CLERK. Mr. Menendez?

2 THE CHAIRMAN. Mr. Menendez.

3 SENATOR MENENDEZ. No.

4 THE CLERK. Mr. Cardin?

5 SENATOR CARDIN. No.

6 THE CLERK. Mrs. Shaheen?

7 SENATOR SHAHEEN. No.

8 THE CLERK. Mr. Coons?

9 SENATOR COONS. No.

10 THE CLERK. Mr. Udall?

11 SENATOR MENENDEZ. No by proxy.

12 THE CLERK. Mr. Murphy?

13 SENATOR MURPHY. No.

14 THE CLERK. Mr. Kaine?

15 SENATOR KAINE. No.

16 THE CLERK. Mr. Markey?

17 SENATOR MENENDEZ. No by proxy.

18 THE CLERK. Mr. Merkley?

19 SENATOR MERKLEY. No.

1 THE CLERK. Mr. Booker?

2 SENATOR BOOKER. No.

3 THE CLERK. Mr. Chairman?

4 THE CHAIRMAN. No.

5 THE CLERK. Mr. Chairman, the yeas are 1, the nays are 20.

6 THE CHAIRMAN. The amendment fails. Is there a motion to approve H.R. 1677,
7 as amended?

8 SENATOR MENENDEZ. So moved.

9 THE CHAIRMAN. Is there a second?

10 VOICE. Second.

11 THE CHAIRMAN. So moved and seconded. The question is on the motion to
12 approve H.R. 1677, as amended.

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 it. The legislation is agreed to.

18 Next up is S. 3257, the STOP Using Human Shields Act. Would any senators like
19 to speak to this bill?

1 [No response.]

2 **THE CHAIRMAN.** Without objection, we will now consider the substitute
3 amendment.

4 All those in favor, say aye.

5 **SENATOR KAINÉ.** Sorry, Mr. Chair.

6 **THE CHAIRMAN.** That is all right.

7 **SENATOR KAINÉ.** I would like to be listed as a sponsor. I was not a sponsor of
8 the original bill. The amendment solves the concerns I had with it, and I appreciate
9 those who worked with me.

10 **THE CHAIRMAN.** Thank you. Without objection. Without objection, we will now
11 consider the substitute amendment.

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 substitute amendment is
17 agreed to.

18 Is there a motion to approve S. 3257, as amended?

19 **SENATOR MENENDEZ.** So moved.

1 **THE CHAIRMAN.** Thank you.

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

3 **VOICE.** Second.

4 **THE CHAIRMAN.** So moved and seconded. The question is on the motion to
5 approve S. 3257, as amended.

6 All those in favor, say aye.

7 [A chorus of ayes.]

8 **THE CHAIRMAN.** Opposed?

9 [No response.]

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

11 Next up is S. 3476, the PEPFAR Extension Act. Would any senators like to speak
12 to this bill?

13 **SENATOR ISAKSON.** Mr. Chairman?

14 **THE CHAIRMAN.** Yes, sir.

15 **SENATOR ISAKSON.** Could I ask to be added as a co-sponsor?

16 **THE CHAIRMAN.** Yes, thank you so much for all your work on Africa and other
17 places.

18 Without objection, the question is on S. 3476.

19 All those in favor, say aye.

1 [A chorus of ayes.]

2 **THE CHAIRMAN.** Opposed?

3 [No response.]

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

5 Next, without objection, we will consider en bloc S. Res. 435, S. Res. 481, S. Res.
6 602, and S. Res. 634, as amended by the noticed amendments to these resolutions,
7 including the revised Barrasso first degree amendment to S. Res. 481. Would any
8 members like to give additional comments on any of these items before we approve
9 them? Senator Murphy.

10 **SENATOR MURPHY.** Just very quickly, and thanks to Senator Johnson for
11 working on the resolutions supporting the agreement between the prime minister of
12 Greece and the prime minister of Macedonia. I just hope this committee would watch
13 very carefully. The Russians are going to flood the zone in Macedonia to try to prevent
14 them from moving forward on NATO ascension and EU negotiations. Just something
15 for the committee to watch carefully.

16 **THE CHAIRMAN.** Thank you.

17 **SENATOR PORTMAN.** Mr. Chairman?

18 **THE CHAIRMAN.** Yes. Senator Portman.

1 **SENATOR PORTMAN.** Mr. Chair, thank you for including S. Res. 435. This is the
2 Holodomor resolution. Twenty of our colleagues have co-sponsored it. I think it is
3 incredibly important. From 1932 to 1933, millions of innocent Ukrainians died in a pre-
4 meditated manmade famine. That is what this is about. This was during the Stalin era.
5 We appreciate your taking it up today.

6 **THE CHAIRMAN.** Thank you, and thanks for your work on many of the issues
7 around Ukraine.

8 Is there a motion to approve --

9 **SENATOR MERKLEY.** Mr. Chairman?

10 **SENATOR MENENDEZ.** So moved.

11 **THE CHAIRMAN.** Is there a motion to make me chairman of the universe?

12 (Laughter.)

13 **SENATOR MENENDEZ.** So moved.

14 (Laughter.)

15 **SENATOR RISCH.** Which universe is that?

16 **THE CHAIRMAN.** Would you like to say something?

17 **SENATOR MERKLEY.** Mr. Chairman, thank you for your support in working
18 with me on the resolution celebrating the 50th anniversary of the Non-Proliferation
19 Treaty. It is being held over at the request of one of our members, which effectively

1 kills it for this session of Congress. I think that is unfortunate. It would be better that
2 we talk about the NPT and its role.

3 The three pillars of the NPT still play a vital role in the world in terms of non-
4 nuclear states, many non-nuclear. In terms of the second pillar, sharing peaceful nuclear
5 technology, and in terms of the third pillar, the nuclear weapon states working to
6 reduce their arsenals of nuclear weapons. That is a discussion that would have been a
7 good for us to have, and the resolution, I regret, is not on the table today.

8 **THE CHAIRMAN.** We plan to do more before the end of the year.

9 Is there a motion to approve en bloc these resolutions, as amended by the noticed
10 amendments?

11 **SENATOR MENENDEZ.** So moved.

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

13 **VOICE.** Second.

14 **THE CHAIRMAN.** So moved and seconded. The question is on the motion to
15 approve the resolutions, as amended.

16 All in favor will say aye.

17 [A chorus of ayes.]

18 **THE CHAIRMAN.** Opposed?

19 [No response.]

1 **THE CHAIRMAN.** With that, the ayes have it, and the resolutions, as amended, are
2 agreed to.

3 Finally, without objection, we will consider, en bloc, the nominations of Mr.
4 Francisco Luis Palmieri to be ambassador to Honduras, and Senators Johnson and
5 Merkley to be representatives to the 73rd Session of the UN General Assembly.

6 The question is on the approval of these nominations en bloc.

7 All in favor will 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 nominations are agreed to.

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

14 Without objection, so ordered.

15 And with that, without objection, the committee stands adjourned. I thank all of
16 you.

[Whereupon, at 12:00 p.m., the meeting was adjourned.]

17



The Honorable Cory Gardner
 United States Senate
 Washington, DC 20510

JUN 21 2018

Dear Senator Gardner:

We write to express our appreciation for your support to sustain and enhance United States leadership in the Indo-Pacific region. As discussed two weeks ago in Singapore, United States is an Indo-Pacific nation. The continued bipartisan support of Congress is vital to our efforts to buttress American interests in the region.

In this spirit, we welcome S.2736, the Asia Reassurance Initiative Act (ARIA). As we finalize our Departments' Indo-Pacific strategy, we value the ARIA legislation's reaffirmation of United States security commitments to our Indo-Pacific allies and partners. Furthermore, ARIA's focus on promoting stronger regional economic engagement -- and its support for democracy, the rule of law, and the development of civil society -- is especially welcome as part of a diplomatically-led whole-of-government approach to the Indo-Pacific region.

We are jointly committed to strengthening our diplomatic stance by maintaining a free and open Indo-Pacific. The State Department and the Department of Defense look forward to working with you and your staff as the legislative process moves forward to strengthen the measure, including to ensure adequate flexibility, such as by adding a national security interest waiver. Thank you for your leadership on this significant issue.

Sincerely,

James Mattis
 Secretary of the Defense

Michael Pompeo
 Secretary of State

Cc:
 The Honorable Bob Corker
 The Honorable Edward J. Markey
 The Honorable Marco Rubio
 The Honorable Ben Cardin

1 **Statement by Charles Freeman**
2 **Senior Vice President for Asia**
3 **U.S. Chamber of Commerce**

4
5 ““The U.S. Chamber of Commerce supports the “Asia
6 Reassurance Initiative Act of 2018” and thanks
7 Senator Gardner for his efforts to strengthen U.S.
8 strategic and economic relationships across the Indo-
9 Pacific region. Particularly with regard to the
10 legislation’s economic goals, we appreciate the bill’s
11 focus on closer trade ties, stronger protections for
12 intellectual property, and a renewed focus on trade
13 facilitation. We look forward to working with Senator
14 Gardner and the Congress to advance these important
15 objectives.”
16