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*Thursday, October 5, 2017*

**BUSINESS MEETING**

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

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# BUSINESS MEETING

*Thursday, October 5, 2017*

U.S. Senate,  
Committee on Foreign Relations,  
Washington, DC.

1           The committee met, pursuant to notice, at 9:35 a.m., in Room 419, Dirksen Senate  
2 Office Building, Hon. Bob Corker, chairman of the committee, presiding.

3           Present: Senators Corker [presiding], Risch, Flake, Young, Isakson, Cardin,  
4 Menendez, Shaheen, Coons, Murphy, Kaine, Markey, Merkley, and Booker.

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

5           **THE CHAIRMAN.** I call the Foreign Relations Committee to order.

6           As you all have noticed, it is Senator Cardin's 59th birthday today.

7           [Laughter.]

8           **SENATOR CARDIN.** Mr. Chairman, there should be certain privacies that are  
9 afforded Members of the United States Senate, so I am a little disappointed. But you  
10 picked on the wrong person. It is John Ryan's birthday today.

11           He is on our staff. I mention that because John has been an incredibly valuable  
12 part of our staff, and he is going to be leaving us this week, going back for another  
13 assignment in the JAG Officer Corps. So we, first of all, want to thank John for his  
14 service on our staff and wish him well in his next assignment, but also wish him a  
15 happy birthday.

1 So when we adjourn, I am going to have Senator Menendez sing a song to John.

2 [Laughter.]

3 **SENATOR MENENDEZ.** Mr. Chairman, if I may very briefly?

4 **THE CHAIRMAN.** Absolutely. We know that you have been in the choir before.

5 **SENATOR MENENDEZ.** I am not going to sing right now, but I will.

6 I just want to join Senator Cardin. When I was the chairman, I brought John on.

7 He is an extraordinary individual with incredible talent and unlimited potential. And  
8 our Nation will be better served, even though he was of great service here, with him at  
9 the JAG Corps.

10 So I wish him all the best, and I will embarrass him in front of the rest of the staff  
11 when we are finished.

12 **THE CHAIRMAN.** Very good. We are glad to see you here. Thank you. Thank  
13 you so much for being here, and everyone else.

14 We are going to begin our opening comments, so when people get here, we have  
15 enough of a quorum that we can move through today's agenda.

16 The business meeting of the Senate Foreign Relations Committee will come to  
17 order.

18 Today, we will consider three pieces of legislation.

19 First, we have S. 832, the African Growth and Opportunity Act and the  
20 Millennium Challenge Modernization Act. I want to commend Senators Cardin,

1 Isakson, Coons, Murphy, and Peters for bringing this bipartisan legislation to  
2 committee.

3 This bill is nearly identical to legislation passed out of the committee last  
4 Congress and which cleared both houses in December, but which, I understand,  
5 because of a cloakroom error, failed to become law. Senator Cardin's substitute  
6 contains two technical fixes to bring the bill in line with legislation approved  
7 unanimously by the House Foreign Affairs Committee last week.

8 AGOA has been an important part of our engagement with Africa. This bill asks  
9 the President to direct more resources toward helping African businesses trade with the  
10 United States.

11 This bill also establishes necessary forums that will help safeguard U.S. taxpayer  
12 dollars and foster good governance by the Millennium Challenge Corporation, and it  
13 will ensure that the agency takes a coordinated and thoughtful approach in  
14 implementing concurrent compacts.

15 Senator Cardin's substitute amendment adds a 7-year sunset for the provision,  
16 addressing MCC reporting requirements to the MCC board on a country's treatment of  
17 civil society. It also requires a determination of a country's eligibility for a subsequent  
18 non-concurrent compact to be based on, to the extent practicable, significantly  
19 improved performance across MCC eligibility criteria.

1 I ask that you approve the AGOA and MCC Modernization Act, as amended by  
2 Senator Cardin's substitute amendment.

3 Next, we are going to consider S. Res. 245, a resolution calling on the  
4 Government of Iran to release unjustly detained U.S. citizens and legal permanent  
5 resident aliens.

6 As I am sure many of you know, Iran continues to unjustly detain several U.S.  
7 citizens and legal permanent residents. The five Americans in Iranian custody include  
8 an 80-year-old man, a graduate student, and a retired FBI agent. Iran's use of hostage-  
9 taking as a state policy is totally unacceptable and will continue to poison any future  
10 talks between our two countries.

11 This resolution calls for Iran to release them and for the President to do whatever  
12 he can to get them home.

13 Lastly, we will consider S. Res. 211 condemning the violence and persecution in  
14 Chechnya.

15 The leader, Ramzan Kadyrov, has overseen a campaign of violence and  
16 persecution against gay men in Chechnya. We condemn such acts and call upon the  
17 Russian Federation to protect the human rights of all its citizens.

18 Two amendments address technical changes. And I would like to thank Senators  
19 Cardin, Toomey, and Markey for working on these.

20 With that, I recognize my good friend Senator Cardin.

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

1           **SENATOR CARDIN.** Mr. Chairman, thank you very much, and thank you for the  
2 manner in which we have been able to bring these three important legislative issues to  
3 the business meeting.

4           I want to start by first observing an important announcement that was made by  
5 our chairman last week, that he will not be seeking reelection.

6           I know that we have to put up with you for another year. I understand that.  
7 And I know that this is not going to be our final opportunity to say things about our  
8 chairman, but I just really want to tell you how proud all of us have been to serve with  
9 you as chairman of this committee. We look forward to this next year.

10           You have served our country and the Senate with great distinction. This  
11 committee is a committee that has a proud history, and its legacy has been made only  
12 stronger by your leadership. So you are going to be deeply missed in this committee  
13 and deeply missed in the United States Senate.

14           But we want you to know that we understand your decision. We wish you only  
15 the best. And we look forward to a very productive year.

16           **THE CHAIRMAN.** Thank you so much. I will miss all of you.

17           **SENATOR CARDIN.** On the three bills that you have referred to, I think you  
18 described them very well.

1 Thank you on the African Growth and Opportunity Act and the Millennium  
2 Challenge Modernization Act. I want to thank Senator Isakson for his great help on this  
3 bill. I was joined by Senators Coons, Murphy, and Booker. Ed Royce on the House side  
4 has been a big leader on this.

5 The MCC is transformational. It allows us to make a consequential difference in  
6 a country, and this bill will improve the tools on the MCC, so I am very proud about  
7 that.

8 The AGOA is extremely important for sub-Saharan Africa, giving them economic  
9 opportunity, and I am pleased that we are able to act on that.

10 Clearly, I want to thank Senators Cruz and Leahy in regard to U.S. prisoners in  
11 Iran. There are a lot of issues that we deal with Iran, and there is going to be a lot  
12 greater discussion coming up in the next couple weeks on Iran, but one of the things  
13 that we should all never lose sight of is the fact that we have Americans that are being  
14 held illegally in Iran, and they are always going to be our priority, to get them home.

15 In Chechnya, Senator Toomey and Senator Markey, thank you for your  
16 leadership on that.

17 What is happening there, particularly with gay men, is absolutely outrageous.  
18 And I appreciate the fact that we are acting on that today.

19 Mr. Chairman, I want to mention one other issue. I personally, first, want to start  
20 by thanking you, because you have been extremely helpful in trying to get us to the

1 finish line on the North Korea Human Rights Act that Senator Rubio and I have been  
2 working on. You did everything you could to get that on today's agenda, and I thank  
3 you for that. I mean that sincerely.

4 We work in comity in this committee, and there are still some members who  
5 want to do different things on the North Korea bill, and I fully understand that.

6 But I would just implore our colleagues, human rights always seem to be an  
7 issue that is negotiable on other issues, and it should not be. There are a lot of problems  
8 in North Korea. Believe me, there are, but let's not lose sight of the fact that the people  
9 in that country are suffering every minute on gross violations of human rights.

10 And I am disappointed that we are not going to be able to move that bill today,  
11 but I do hope that we can work out the issues that members have, and we can get that  
12 bill moving quickly.

13 Thank you, Mr. Chairman.

14 **THE CHAIRMAN.** We are going to move through the legislation rapidly, I know.  
15 Is there anyone that wishes to speak to any of the three pieces?

16 Senator Menendez?

17 **SENATOR MENENDEZ.** Thank you, Mr. Chairman.

18 Although my public release pretty much said it all, I want to briefly echo Senator  
19 Cardin about, while I respect your decision, I am disappointed and I wish you were  
20 staying.



1 I think you have shown extraordinary leadership. While we have not always  
2 agreed, for sure, I have always found you to have the integrity, the intellect, and the  
3 commitment to the issues that are critical for this committee and for the country.

4 So I look forward to coming back and spending the next year both working with  
5 you and occasionally challenging you along the way. And I will have more to say when  
6 we get closer to the end of next year.

7 Mr. Chairman, I specifically want to speak to S. Res. 245. I want to speak in  
8 strong support of the resolution, which specifically mentions Xiyue Wang, a student at  
9 Princeton University in New Jersey who the Iranian Government outrageously  
10 sentenced to 10 years in prison for espionage.

11 Mr. Wang, who is of Chinese origin and who is a legal permanent resident of the  
12 United States, was simply pursuing scholarly research. He has a small son.

13 Similarly, Siamak Namazi, a former student of Rutgers University in New Jersey,  
14 also remains in prison, along with his father, a former UNICEF employee.

15 These are infuriating examples of the Iranian Government unjustly targeting  
16 foreigners and using prison sentencing for its political purposes. The regime is  
17 seemingly not satisfied with oppressing its own people.

18 The resolution also notes former FBI agent Robert Levinson who has been  
19 "missing" in Iran for 10 years. Some of Robert's children are my constituents in New  
20 Jersey, and one of his sons currently works in my office.

1           It is unacceptable that the Iranian Government is not fully cooperating in  
2 locating and returning Mr. Levinson. From everything that I have been able to deduce,  
3 they have facts and knowledge, and they have not brought his case to a successful  
4 conclusion.

5           So let me close by simply saying, if Iran wants to be accepted by the community  
6 of nations and be observed in the international order as it suggests it aspires to do so, it  
7 has to stop hostage-taking, and stop it particularly in a way that targets United States  
8 citizens and legal permanent residents, and uses them, at the end of the day, as pawns.

9           And I hope that, as we continue to deal with Iran, as I have been privileged to  
10 work on with you and with Senator Cardin and with others, that we focus on these lies,  
11 because if we were hostage somewhere in the world, we would want our government  
12 to forcefully speak out, to ultimately achieve return to our country.

13           So I strongly support the resolution and look forward to continuing efforts in this  
14 regard.

15           **THE CHAIRMAN.** Thank you. Thank you very much for your statement.

16           Senator Young?

17           **SENATOR YOUNG.** Thank you, Chairman.

18           I want to commend Senator Cardin for his work on AGOA and improving the  
19 act. It is something I had the privilege of inheriting the responsibility when I served  
20 over in the House on the Ways and Means Committee.

1 I would like to also give a shout-out. You were kind enough to mention  
2 Chairman Royce and his leadership on this effort. Charlie Rangel has really led, over  
3 the years, with respect to AGOA as well.

4 I see further opportunities for modernization moving forward on this act, so we  
5 are going to have to continue to monitor the success of AGOA. We should debate  
6 things like whether or not certain countries should graduate out of AGOA, whether this  
7 model should be applied to other regions of the world, and whether the "yarn-forward"  
8 standard is something we should continue to embrace.

9 But thank you for your improvement of the bill.

10 **THE CHAIRMAN.** Thank you so much for those comments.

11 Senator Markey?

12 **SENATOR MARKEY.** Thank you, Mr. Chairman. I thank you and I thank Senator  
13 Cardin for your work on the Chechnyan resolution.

14 This resolution condemns Chechnyan officials' torture, murder, and incitement  
15 of so-called honor killings of men who are or are suspected of being gay. It calls for an  
16 end to persecution, and calls on Russian authorities to investigate and punish the  
17 perpetrators and protect the human rights of all citizens.

18 We have 45 Senators, cosponsors from both sides of the aisle. As you pointed  
19 out, Senator Cardin, I introduced it with Senator Toomey to ensure that it would be  
20 bipartisan.

1           And I think it is an important statement for the Senate to make, that we stand  
2   united with Chechnya's LGBTQ community, who are victims of this cruel and  
3   murderous treatment at the hands of Chechnyan officials who govern under the  
4   authority of Russia. And it is important for us to persistently speak against inhumane  
5   treatment of human beings, no matter where they are on the planet.

6           And I thank you for your consideration and support of this legislation.

7           **THE CHAIRMAN.** Thank you, sir.

8           Senator Booker?

9           **SENATOR BOOKER.** Thank you, Mr. Chairman.

10          I just want to echo the sentiments of my senior Senator, Senator Menendez, just  
11   at the outrage, but also the gratitude on S. Res. 245.

12          Last Congress, Senator Hatch and I offered a resolution calling on Iran to release  
13   Siamak and Baquer Namazi. Some of you know that Baquer is in his 80s. He just had  
14   to have a procedure to get a pacemaker installed. He was not even allowed time to  
15   recover before he was sent back to prison.

16          These are violations of international values. These are violations of the  
17   international order. We will continue, at least with this one Senator, to have me focused  
18   on Iran's isolation as well as Iran's inability to participate fully in the international  
19   context.

1           This is a regime that we know believes that hostage-taking is a viable means with  
2 which to try to pressure and undermine this government and others around the  
3 country.

4           As Senator Menendez mentioned, Xiyue Wang, a Ph.D. candidate from Princeton  
5 University, has been detained, and we know the continuing lack of insight into the  
6 condition of Robert Levinson.

7           So I am grateful that the committee is taking this up again, and I am grateful that  
8 we are not allowing these outrages to go without a response and without a demand.

9           **THE CHAIRMAN.** Thank you.

10          Thank you so much.

11          I am concerned that if we express more gratefulness, we are not going to pass  
12 these. I thank everybody for their comments and tremendous work, but I am worried  
13 that we are going to lose a quorum.

14          Is there anyone else who wishes to speak to these?

15          With that, then, first, I will entertain a motion to consider the substitute  
16 amendment by voice vote -- wait a minute. Let me say what we are moving to.

17          That was a resolution to increase my pay three times. I am just kidding. I do not  
18 even take it.

19          [Laughter.]

1           **THE CHAIRMAN.** First, we will move to S. 832, the African Growth and  
2 Opportunity Act and Millennium Challenge Modernization Act.

3           Senator Cardin, we have already spoken to that.

4           With that, I would entertain a motion to consider the substitute amendment by  
5 voice vote.

6           **SENATOR CARDIN.** So moved.

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

8           **SENATOR MENENDEZ.** Second.

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

10          The question is on the motion to approve the substitute amendment.

11          All those in favor, say aye.

12          {A chorus of ayes.}

13          All those opposed?

14          [No response.]

15          The ayes have it. The amendment is agreed to.

16          Are there further amendments?

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

18          **SENATOR CARDIN.** So moved.

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

20          **SENATOR MENENDEZ.** Second.

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

2           The question is on the motion to approve S. 832, as amended.

3           All in favor, say aye.

4           [A chorus of ayes.]

5           All opposed?

6           [No response.]

7           With that, the ayes have it. The legislation, as amended, is agreed to.

8           Next, we will move to S. Res. 245 calling on the Government of Iran to release  
9 unjustly detained U.S. citizens and legally permanent resident aliens.

10          Are there any amendments?

11          Hearing none, is there a motion to approve the legislation by voice vote?

12          **SENATOR CARDIN.** So moved.

13          **SENATOR MENENDEZ.** Second.

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

15          The question is on the motion to approve S. Res. 245.

16          All in favor, say aye.

17          [A chorus of ayes.]

18          Opposed?

19          [No response.]

20          With that, the ayes have it. The legislation is agreed to.

1           Lastly, we will consider S. Res. 211 condemning the violence and persecution in  
2 Chechnya.

3           I will entertain a motion to consider the substitute amendments en bloc by voice  
4 vote.

5           **SENATOR CARDIN.**    So moved.

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

7           **SENATOR MENENDEZ.**   Second.

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

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

11          All those in favor, say aye.

12          [A chorus of ayes.]

13          Opposed?

14          [No response.]

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

16          Are there any further amendments?

17          Is there a motion to approve the legislation, as amended?

18          **SENATOR CARDIN.**    So moved.

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

20          **SENATOR MENENDEZ.**   Second.



1 THE CHAIRMAN. So moved and seconded.

2 The question is on the motion to approve S. Res. 211, as amended.

3 All in favor will say aye.

4 [A chorus of ayes.]

5 Opposed?

6 [No response.]

7 With that, the ayes have it. The legislation, as amended, is agreed to.

8 That completes our committee's business. I ask unanimous consent that staff be  
9 authorized to make technical and conforming changes. Without objection, so ordered.

10 I thank all of you for being here. I thank you for your great work.

11 Yes, ma'am?

12 SENATOR SHAHEEN. I think it would be remiss if we adjourned this committee  
13 without recognizing that it is Ben Cardin's birthday.

14 THE CHAIRMAN. We already did. It is his 59th birthday today, and we are  
15 celebrating it with him, and Menendez sang a chorus.

16 With that, we are adjourned. Thank you so much.

**[Whereupon, at 9:50 a.m., the meeting was adjourned.]**