
BUSINESS MEETING

Thursday, February 14, 2013

UNITED STATES SENATE COMMITTEE ON
FOREIGN RELATIONS

113TH Congress, First Session

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U.S. SENATE
COMMITTEE ON FOREIGN RELATIONS
WASHINGTON, D.C.

1 The committee met, pursuant to notice, at 2:05 p.m. in Room S-116,
2 Dirksen Senate Office Building, Hon. Robert Menendez, presiding.

3 PRESENT: Senators Menendez [presiding], Casey, Coons, Murphy, Kaine,
4 Corker, Risch, Johnson, Flake, McCain, and Paul.

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

5 THE CHAIRMAN. All right. The meeting will come to order. Thank you all
6 for joining us.

7 We are going to start and address the two amendments by voice, and then
8 by that time we will have a sufficient number of members.

9 UNIDENTIFIED SPEAKER: We are good.

10 THE CHAIRMAN. Oh, thank you. As you know, we have a -- legislation
11 with reference to North Korea (S. 298, the North Korea Nonproliferation Act of
12 2013). Its nuclear test is a highly provocative act, and combined with its
13 December's -- this past December's ballistic missile launch, creates an acute new
14 threat to the region.

1 At the Security Council, the administration is pursuing further tightening
2 sanctions and introducing new measures to bring international pressure to bear
3 on North Korea and to halt proliferation activities. And I believe that we must
4 add Congress' voice on this issue and make sure that North Korea pays the price
5 for its reckless behavior.

6 This legislation, which I am pleased to have worked on with Senator
7 Corker, does just that. I also want to thank our colleague, Senator Paul, for
8 working with me and the ranking member to make an important clarification in
9 the legislation, that is that the act is not intended to serve as an authorization for
10 the use of force.

11 That was never the intent with this legislation, but given the importance of
12 the underlying issue and Congress' exercise of its war powers, I appreciate his
13 concern and his willingness to see it addressed, and pleased to accept language
14 that he has offered as an amendment to this bill.

15 So with that, we have a modification, at Senator Paul's request, for the
16 language in clause 7 regarding the need to explore additional, appropriate
17 measures by U.S. armed forces in the region given North Korea's provocative
18 behavior. And with these clarifications, I believe that we are ready to go.

19 So my understanding is that there are two amendments to pursue that. I
20 believe they have been distributed to everyone.

1 UNIDENTIFIED SPEAKER: Yes.

2 THE CHAIRMAN. Unless there is any conversation on it. Senator McCain.

3 SENATOR MCCAIN. I do not quite understand. Nothing in this act can be
4 construed as a declaration of war, authorizing the use of force against North
5 Korea. That took place, I think it was June of 1950. We are at war. We are
6 technically at war. We have had a cease fire agreement in effect since, I believe,
7 1954, as I remember my history at Panmunjob. So I do not quite understand the
8 amendment since we are technically still at war with North Korea.

9 THE CHAIRMAN. Well, I appreciate that.

10 SENATOR MCCAIN. Whatever works is fine with me.

11 THE CHAIRMAN. What we say is that nothing in this act goes specifically
12 beyond that which is the status quo, but I appreciate your point.

13 Any other questions or comments? If not, I would entertain that both of
14 these amendments be approved. Is there a motion to that effect?

15 SENATOR CORKER. Second.

16 THE CHAIRMAN. Motion seconded.

17 All those in favor, say aye.

18 [A chorus of ayes.]

19 THE CHAIRMAN. Opposed, none?

20 [No response.]

1 THE CHAIRMAN. The amendment is agreed to.

2 And then on the underlying bill, all those in favor, say aye?

3 [A chorus of ayes.]

4 THE CHAIRMAN. Opposed?

5 [No response.]

6 THE CHAIRMAN. The ayes have it. The bill is approved, and we hopefully
7 will ask the leadership to hotline this legislation and certainly make it timely
8 before the recess.

9 Thank you very much. As you know, we have the foreign minister of
10 Jordan here, and --

11 UNIDENTIFIED SPEAKER: Right now?

12 THE CHAIRMAN. Yeah, right now. So to the extent that any of you can
13 stay, I am sure it will be a very interesting discussion.

[Whereupon, at 2:10 p.m., the hearing was adjourned.]