

BUSINESS MEETING

Wednesday, July 29, 2020

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

The committee met, pursuant to notice, at 9:07 a.m., in Room SR-325, Russell Senate Office Building, Hon. James Risch, chairman of the committee, presiding.

Present: Senators Risch [presiding], Rubio, Johnson, Gardner, Romney, Graham, Barrasso, Portman, Paul, Young, Perdue, Menendez, Cardin, Shaheen, Udall, Murphy, Kaine, and Merkley.

OPENING STATEMENT OF HON. JAMES RISCH, U.S. SENATOR FROM IDAHO

The Chairman: The committee will come to order. This morning we have a business committee meeting to consider numerous nominees, and we will proceed to -- we have heard them all. We are going to proceed to vote on them as quickly as we can, as most people have other business to do. So with that, Senator Menendez?

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

Senator Menendez: Thank you, Mr. Chairman. I am going to be brief.

We all know why we are here today at an in-person business meeting in the middle of a pandemic, an in-person business meeting that has no urgency, an in-person meeting where we do not have clear answers whether any senators or staff should be in quarantine due to exposure to Robert O'Brien, who recently tested positive for COVID-19.

We are here because Secretary Pompeo pressured you to move certain nominees over our objections, objections that go to the core of whether we are a co-equal branch of government or simply a doormat for the Secretary and the President. I don't plan to repeat the objections that I expressed at last week's hearings, although I want to ask unanimous consent to include my statements from those hearings in the record for this business meeting. Mr. Chairman?

The Chairman: They will be included.

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[The information referred to follows:]

Nominations Hearing

*Opening Statement by Senator Robert Menendez
Senate Foreign Relations Committee – July 21, 2020*

Thank you, Mr. Chairman, and welcome to each of the nominees and their families.

Mr. Chairman, I first want to thank you for listening to the Democratic members on the importance of rebalancing the Committee agenda. We urged you to shift away from a nominations-only approach and to rejuvenate the Committee's policy and oversight focus. The fact that that you finally appear to have secured Secretary Pompeo's testimony, in particular, is a solid step in the right direction.

Today's Hearing

But at the same time I must share my deep disappointment over today's hearing, including that you noticed it unilaterally and over the objection of the Committee Minority. Today's hearing represents the evisceration of critical Committee oversight efforts and a related and continuing pattern of rubber stamping Trump administration nominees. On both fronts, the Committee is caving to the executive branch and moving forward without transparency, accountability, or regard for our constitutional system of checks and balances.

Let me explain ... It is no secret that the President and his Secretary of State recoil from scrutiny. They claim to act on behalf of the American people, yet they fight against any congressional or public scrutiny of their actions.

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This is obviously unacceptable. In response and as a last resort, committee Democrats urged you not to move forward with nominations for positions connected to blatant State Department stonewalling. This was particularly the case with the Legal Adviser and Western Hemisphere positions, as the administration has been particularly obstructionist in those areas.

Let me give just a few examples: The Department is blocking us from examining the firing of the State Department Inspector General ... the very same inspector general who was investigating Secretary Pompeo at the time of his firing ... The Department has refused to come clean concerning Saudi Arabia's brutal murder of Jamal Khashoggi ... The administration is withholding key witnesses in a joint SFRC and House investigation into the Trump Administration's political targeting of career State Department employees ... And, the administration continues to hide the controversial instruments it negotiated with Mexico and the Northern Triangle countries.

This is dangerous. Bad things happen when there is no transparency ... no accountability ... no oversight. We have seen it time and again with this administration. Yet Mr. Chairman, by moving forward with this hearing – and I understand it was under significant pressure from Secretary Pompeo – you eliminated any incentive the Department had to engage and undermined the Committee's ability to pursue the public interest ... to shine a light on the darkest, most disturbing corners of the Trump foreign policy and Pompeo State Department.

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Mr. Chairman, a separate but related problem is the refusal of the administration and some nominees to cooperate on vetting matters. This problem is front and center with Mr. Billingslea.

He has simply not come clean about his involvement in Bush-era torture programs, claiming over and over again that he never advocated for torture. The problem is that's just not true. The evidence shows that Mr. Billingslea was a strong advocate for hooding, 20-hour interrogations, forced grooming, sleep deprivation, removal of clothing, face and stomach slaps, and use of dogs in interrogations.

We should not be moving forward with Mr. Billingslea's nomination. Period. The stain of torture combined with his credibility gap should be disqualifying. But even if you disagree, Mr. Chairman, at minimum, we should not be moving forward until he truthfully acknowledges his actions. But he is here before us today ... so what incentive does he have left to come clean with us?

And it is not just Mr. Billingslea. We have seen it multiple times over the last two years. Michael Pack, Darrell Issa, Doug Manchester and so on.

So Mr. Chairman, I am deeply dismayed at what this hearing represents. If we are truly a coequal branch of government, we have to act like it. On behalf of the American people, we have to rebalance our relationship with the executive branch, regardless of which party is in the White House. Our relevance depends on it, and I hope we can work together to make it happen.

Serving in the Trump Administration

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Finally, a word to the nominees ... in particular Ambassadors Mahoney and Trujillo ... I am a huge believer in public service and have the greatest respect for our career diplomatic and development professionals. I also believe that service as a political appointee is a noble calling and essential to our system.

Until this moment, I would have never questioned anyone's decision to serve in a political capacity in any administration – Democratic or Republican – but I'm honestly perplexed as to why you're pursuing these nominations.

They're great jobs under normal circumstances ... but NOTHING about this moment and this administration is normal. We have a President that seeks to divide us domestically, that attacks our allies and coddles our enemies, and we have a Secretary of State that enables him.

And this is not the beginning of the administration ... we all now know its ugliness... its incompetence ... and its lawlessness – Charlottesville, Khashoggi, the Ukraine scandal ... and more recently ... Lafayette Square, Portland, Oregon, and reportedly a Trump green light for Uighur concentration camps...there is NO bottom.

I do not understand why you're signing on to a second tour ... I can't imagine you're proud of this...so why do you want to own it?

Isn't it past time for the senior political leadership in this country to stand up and say "ENOUGH. THIS IS NOT RIGHT. I DON'T WANT TO BE PART OF IT?"

We have to ask ourselves that question, and I ask that you reflect on it urgently.

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Thank you, Mr. Chairman.

Nominations Hearing

*Opening Statement by Senator Robert Menendez
Senate Foreign Relations Committee – July 23, 2020*

Thank you, Mr. Chairman.

Mr. Chairman, this is another in a series of Committee hearings that you have noticed unilaterally and over Democratic objections.

Earlier this week, I mentioned more than sixty oversight requests I sent to Secretary Pompeo, requests that have almost entirely gone unanswered. After four years, this Administration's policy on oversight requests is crystal clear: a complete rejection of Congress' constitutional authority in foreign affairs and corresponding responsibility to conduct oversight. Unless they absolutely have to engage with us, they will not.

The only way to change that dynamic is if we stick up for ourselves ... if we don't let ourselves be bullied by the President and Secretary of State. Unfortunately, Mr. Chairman, that is not happening.

Ms. Kenna, a senior aide to Secretary Pompeo and one of the nominees on today's panel, is a case in point. Chairman Engel and I have joint outstanding requests to interview Ms. Kenna in relation to two separate and corrosive episodes: The first relates to the political targeting of career employees at State by Trump appointees, and the second concerns the firing of the State Department Inspector General while he had an active investigation into Secretary Pompeo.

The Department is stonewalling as usual – they will not authorize Ms. Kenna to sit for an interview. So, as a last resort, we urged you not to move forward with a nominations hearing for her.

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Now I sympathize with Ms. Kenna – the Department has put her in a terrible position. But why should we move forward with a nominee when the Department of State is refusing to authorize her to speak with Congress on critical oversight matters?

The stonewalling is particularly egregious here given that the Secretary of State is seeking to hide his own possible wrongdoing in connection with the firing of Steve Linick. This undermines our role and our ability to do our jobs on behalf of the American people, and it should not have happened regardless of how much pressure the Secretary has put on you.

I need to make one last point before I turn to some country-specific issues. Mr. Chairman, you have frequently indicated that my objections to your handling of certain nominations are related to political or policy differences. I am honestly not sure what you mean by that.

Is asking for an interview with Ms. Kenna to find out what she knows about the firing of the State Department Inspector General a political or policy difference? Is urging Michael Pack to acknowledge and fix his false statements to the Committee and the IRS a political or policy difference ...? Is asking for more information concerning allegations that Doug Manchester engaged in blatantly sexist behavior and created a hostile work environment for female employees a political or policy difference?

Of course not. The only thing that is political here is that you have chosen to gloss over all of these matters ... on behalf of the administration, you have simply chosen to look the other way and rubber-stamp the nominations. That is political.

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Canada

We are reviewing the nomination for Canada at a particularly turbulent time in U.S.-Canada relations. The Trump Administration's approach has included the levying of tariffs due to supposed national security considerations, a half-baked attempt to block the export of protective masks during the pandemic, and the occasional insult hurled by a White House senior advisor at Prime Minister Trudeau.

Mr. Chairman, I think we can agree that these are the tactics we aim at an economic adversary, not one of our top trading partners ... that this is how we treat our enemies, not an ally whose sons and daughters have fought and died alongside American soldiers in multiple theaters over the last century.

Amidst this chaos, there have been some positive advances.

Thanks to Democratic leadership, we were able to include stronger provisions on labor and environmental standards in the new U.S.-Canada-Mexico Free Trade Agreement—provisions that will directly benefit American workers and families.

So, I hope to hear a new approach from our nominee on how we can actually strengthen our alliance and economic partnership with Canada

Guatemala

I'm pleased that, at my request, the nominee for Guatemala was added to this panel. The challenges in Guatemala require steady leadership, but again, I have been deeply troubled by the President's policies. For a year, the Administration suspended foreign assistance to Guatemala, the very funding we need to advance our national interests and address the violence and poverty forcing people to flee their country.

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We've coerced the Guatemalan government into a supposed Safe Third Country agreement so that we can transfer asylum seekers from the U.S. to pursue protection in Guatemala—an agreement that endangers the lives of vulnerable people and appears to conflict with U.S. law. And, we've deported dozens of COVID-positive individuals back to Guatemala during the pandemic and threatened Guatemalan officials with visa sanctions if they refuse the flights.

It is disturbing, yet hardly surprising that Guatemalan President said in May, "I don't believe the U.S. is an ally to Guatemala because they don't treat us like one."

Peru

Aside from the oversight matters I mentioned, I'm also pleased we are reviewing a nomination for Peru—a close diplomatic, economic, and security partner in addressing the political and humanitarian crisis in Venezuela, even as they have experienced their own political turmoil in the last two years and struggled with COVID-19.

Thank you, Mr. Chairman.

Senator Menendez: I did not run for office to fight over nominations. I do not believe any of us did. I ran for office because I believe in service. Because I want what is best for the government, for our country, and for the American people. And I know that all of you share those motivations regardless of whether we agree on specific outcomes. Along with so many of you, I fervently

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support a highly-functioning and robust State Department led by qualified and suitable Senate-confirmed officials, a State Department that is capable and empowered to project American diplomacy and to advance our national security interests. But I am also realistic. I understand that this vision is incompatible with this President and his Administration, and that the committee has been unwilling to advance this vision during the 116th Congress.

While I look forward to supporting a majority of the nominations on today's agenda, I must conclude by noting with regret that today's meeting, and particularly the inclusion of Mr. Billingslea, does not do justice to the Senate, the Constitution, or the American people, and it sets another precedent for the running of this committee without regard to comity or the views of the minority.

The Chairman: With that, we will proceed to the agenda. The first one I am going to call up is the nomination of C.J. Mahoney to be legal adviser of the State Department. Is there a motion to favorably report Mr. Mahoney -- Mr. Mahoney's nomination?

Senator Portman: So move.

The Chairman: Senator Portman has moved.

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Senator Paul: Second.

The Chairman: Senator Paul has seconded. Is there debate?

Senator Menendez: Mr. Chairman?

The Chairman: Senator Menendez.

Senator Menendez: Mr. Chairman, I have great respect for the Office of Legal Adviser, and I am also impressed by Mr. Mahoney's legal resume. And while he does not seem to have the experience in the area central to his portfolio at State, I suspect that, if confirmed, he will be a quick study. Unfortunately, there have been real problems with the Office of Legal Adviser. The Administration has refused to provide responses on issues and controversies where there is no legal or policy basis to block Congress from those responses or documents.

If confirmed, I expect that Mr. Mahoney will live up to the affirmative answers that he gave to me at his hearing, in which he agreed to make himself available to members of the committee and staff to answer questions and engage on matters of substance in an open and timely fashion. With that expectation

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and the expectation that we will receive certain documents before his confirmation vote on the Senate floor, I intend to vote yes for him today.

The Chairman: Is there further debate?

[No response.]

The Chairman: There being no further debate, all those in favor of the motion, please signify by saying aye.

[Chorus of ayes.]

The Chairman: Opposed, nay.

[No response.]

The Chairman: The ayes have it. Mr. Mahoney will be advanced.

We will now take up the nomination of Ms. Leora Levy to be ambassador to Chile. Is there debate?

[No response.]

The Chairman: I guess we need a motion. Is there a motion to advance?

Senator Rubio: So move.

The Chairman: Senator Rubio has moved. Is there a second?

Senator Paul: Second.

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The Chairman: Second would be Senator Paul. Is there debate?

Senator Menendez: Mr. Chairman?

The Chairman: Senator Menendez.

Senator Menendez: Mr. Chairman, I cannot support Ms. Levy's nomination to be the ambassador to the Republic of Chile. During her confirmation hearing, Ms. Levy explained that her incredibly divisive partisan attacks, in which she questioned whether -- she said that the Democratic Party was destroying her way of life and posted things on her social media sites that were absolutely false, absolutely false, things which she admitted was false. She described these attacks as in the heat of the moment of a political campaign, saying that sometimes elbows are thrown, although I don't think she was a candidate for anything. And yet, given the opportunity, she was unable to apologize for the insults she hurled.

There is nothing in Ms. Levy's background or performance that demonstrates to me she has the necessary diplomatic skills or depth of knowledge to lead the U.S. embassy in Santiago through the heat of the moment, if so required. I don't have confidence that in times of crisis or political tension, Ms. Levy will be a

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consensus builder and faithfully represent Americans of all political views.

Therefore, I will be voting no.

The Chairman: There being no further debate, all those in favor of the motion, signify by saying aye.

[Chorus of ayes.]

The Chairman: Opposed, nay.

[Chorus of noes.]

The Chairman: Ayes have it, and --

Voice: I would like to be recorded as no.

The Chairman: You may. Anyone else wanted to be recorded as -- everybody on the Democrat side will be recorded as no except for Senator Murphy. Thank you.

I will now take up the nomination of Mr. Billingslea to be under secretary of state for arms control and international security.

Is there a motion to advance Mr. Billingslea's nomination?

Senator Johnson: So move.

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The Chairman: Senator Johnson has made the motion. Is there a second to that motion?

Senator Gardner: Second.

The Chairman: Senator Gardner has seconded the motion. Is there debate?

Senator Menendez: Mr. Chairman?

The Chairman: Senator Menendez.

Senator Menendez: Mr. Chairman, it has been very clear for those who have attended his hearings that I oppose Mr. Billingslea's nomination. I oppose his nomination for various reasons. One, he has not been honest with this committee. He seems to believe that if he can just keep dissembling, if he keeps repeating the same falsehood again and again, that he can obscure his role in promoting torture and rewrite the historical record, but he cannot. His words are there in black and white. He wrote that he saw no legal or policy problems with threatening to transfer detainees to a third country where they would fear torture or death, 20-hour interrogations, forcibly shaving a detainee's hair or beard, keeping detainees awake for up to 4 days in succession, stripping detainees naked, using military working guards to frighten detainees during interrogation.

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He said he saw no problems, despite being told by Judge Advocate Generals from the Navy, Marine Corps, and Army, that there were serious legal and policy problems, and despite being told by professional interrogators from the FBI and NCIS that these methods were ineffective and abusive. He wrote, among other things, about interrogation, which I cannot get into here because DOD refuses to declassify those memos, but I can tell you this: they are disturbing, and they do not reflect well on Mr. Billingslea.

But let me read you the words of some of the people who worked with Mr. Billingslea at the time or who were involved in the SASC investigation of detainee abuse. The former Judge Advocate General of the United States Army, retired U.S. Army Major General Thomas J. Romig, wrote to the committee that, "Billingslea not only failed to stand up for what was right, but he also went out of his way to advocate for using abusive interrogation techniques against detainees in our custody, despite being told that his positions were wrong, counterproductive, and unlawful by a group of senior military lawyers with over 100 collective years of military experience and nearly that many years of military law experience." The former lead staffer on the bipartisan SASC report, Joe

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Bryan, was so surprised by Mr. Billingslea's statement at his last nomination hearing, that he "never supported torture or anything resembling torture," that Mr. Bryan wrote to the committee the very next day stating, "The record established in the SASC investigation does not support that assessment."

The deputy assistant director of counterterrorism for the Navy Criminal Investigative Service, Mark Fallon, wrote that, "In my direct experience, Mr. Billingslea was the single biggest bureaucratic obstacle at the Pentagon, short of the Department of Defense's senior-most leaders, to stopping the use of enhanced interrogation techniques. He was a vocal advocate for the use of the techniques and the claim that torture worked. And while he may not have intended that the abusive techniques then be employed at Ghraib and elsewhere, that is exactly what happened as a direct result of him pushing for their use at Guantanamo. In all the years since, despite having mutual friends and contacts, I have never once heard any suggestion that Mr. Billingslea has since had a change of heart."

Now, on that last point, Mr. Billingslea could have told this committee that he made a mistake. He could have said that he was young and relatively inexperienced at the time, that the country was at war, that he wrote something

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that he now regrets. But Mr. Billingslea has said none of that, and I will tell you why, because he still does not think that he did anything wrong. I believe that he would today be recommending using all of those torture techniques -- stripping, slapping, sleep deprivation, dogs, and more -- if someone told him they were legal.

Since 1863, when President Lincoln promulgated General Order Number 100, America has been an example to the world on how to treat detainees. The actions of Mr. Billingslea and those who thought like him destroyed that reputation, frayed our relations with allies, and put our troops at risk. And that is why, Mr. Chairman, I am going to vote no on his nomination.

The Chairman: Further debate?

[No response.]

Senator Menendez: Mr. Chairman, parliamentary inquiry, if I may?

The Chairman: You may.

Senator Menendez: As we cast this vote, what is the requirement under the committee rules for reporting Mr. Billingslea out in terms of the majority presence that has to be in the room?

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The Chairman: The rules, Senator, as you know, are quite clear. It has to be a majority of the committee present, and that a majority of those present must vote in favor.

So all those in favor? Senator Shaheen?

Senator Shaheen: Mr. Chairman, I request a roll call vote.

The Chairman: A roll call vote has been requested. The clerk will call the roll.

The Clerk: Mr. Rubio?

Senator Rubio: Aye.

The Clerk: Mr. Johnson?

Senator Johnson: Aye.

The Clerk: Mr. Gardner?

Senator Gardner: Aye.

The Clerk: Mr. Romney?

Senator Romney: Aye.

The Clerk: Mr. Graham?

The Chairman: Aye by proxy.

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The Clerk: Mr. Barrasso?

Senator Barrasso: Aye.

The Clerk: Mr. Portman?

Senator Portman: Aye.

The Clerk: Mr. Paul?

The Chairman: Present by proxy.

The Clerk: Mr. Young?

Senator Young: Aye.

The Clerk: Mr. Cruz?

The Chairman: Aye by proxy.

The Clerk: Mr. Perdue?

The Chairman: Aye by proxy.

The Clerk: Mr. Menendez?

Senator Menendez: No.

The Clerk: Mr. Cardin?

Senator Cardin: No.

The Clerk: Mrs. Shaheen?

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Senator Shaheen: No.

The Clerk: Mr. Coons?

Senator Menendez: No by proxy.

The Clerk: Mr. Udall?

Senator Udall: No.

The Clerk: Mr. Murphy?

Senator Murphy: No.

The Clerk: Mr. Kaine?

Senator Kaine: No.

The Clerk: Mr. Markey?

Senator Menendez: No by proxy.

The Clerk: Mr. Merkley?

Senator Merkley: No.

The Clerk: Mr. Booker?

Senator Menendez: No by proxy.

The Clerk: Mr. Chairman?

The Chairman: Aye. The clerk will report.

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The Clerk: Mr. Chairman, the ayes are 11; the noes are 10. There is 1 present.

The Chairman: The motion has been passed, and I will have -- move to Mr. Trujillo to be assistant secretary of state for western hemisphere affairs. Is there -
- is there a motion to adopt?

Senator Rubio: So move.

The Chairman: Senator Rubio has moved that Mr. Trujillo's nomination will be reported favorably to the floor. Is there a second to that?

Senator Johnson: Second.

The Chairman: Senator Johnson seconded. Is there debate?

Senator Menendez: Mr. Chairman?

The Chairman: Senator Menendez.

Senator Menendez: Mr. Chairman, Ambassador Trujillo has been nominated to serve as the assistant secretary of the western hemisphere at a time of much turbulence, and so it is an important position. Now, I have made numerous requests that the Department has refused to answer, including requests for agreements signed with foreign governments within the Western

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Hemisphere. The Administration refused to comply, even though, in this case, your office, Mr. Chairman, supports our request. I also have enduring concerns about Mr. Trujillo's actions as our ambassador to the OAS, including launching a questionable investigation that targeted a U.S. citizen employee of the OAS and has left him facing dismissal pending an appeal.

I am going to support Ambassador Trujillo's nomination for the time being. However, if the Department does not comply with our request for oversight and Mr. Trujillo doesn't answer the additional questions about his actions which he agreed to at his confirmation hearing, then I will not only seek to oppose his nomination on the floor. I also will insist that the regular order be held in order for his nomination to proceed.

Senator Cardin: Mr. Chairman? Over here.

The Chairman: Oh, sorry. Senator Cardin.

Senator Cardin: Thank you, Mr. Chairman. I take a slightly different tack than the ranking member. I am going to support Mr. Trujillo's nomination today because I do think he has been very forthcoming on representing us at the OAS. I have had good conversations. He has done some -- I think some aggressive

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action to include parliamentarians in the work of the OAS. But I am very troubled by recent accounts that I have learned on a personnel issue, and I will withhold judgment as to whether I will support him on the floor or not, pending a conversation I hope that will be arranged for me to talk with him about this issue prior to the floor vote. So with that in mind, I will support his nomination today, but I am going to withhold my judgment pending that conversation.

The Chairman: Fair enough, sir. Senator Rubio.

Senator Rubio: To the ranking member, the points that he made, I cannot speak to the first matter about the transparency from the State Department on the contracts with foreign governments and so forth. I would hope they will respond since this committee has oversight over matters such as those. And it has been a long practice and tradition to use nominations as leverage to get answers to questions. We have all done it, so I will not speak to that matter.

On the second point, my understanding, and I know my understanding as I have spoken to Ambassador Trujillo about the issue with the inspector general in the OAS, is that he has answered questions and is willing to answer additional questions. My understanding of the facts there are that there was -- as he was

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headed to some meeting in Central America, there were a number of leaks that were finding its way into the press, and he simply requested of the Organization of American States that they investigate those leaks. He did not -- I have seen email correspondence on the matter. I have seen other things that have been provided to the minority.

He did not request an investigation on any specific individual. That OAS inspector general investigation ultimately uncovered, allegedly, a U.S. citizen working for the OAS, who the inspector general's office holds responsible for that. So it seems to me obviously that, at least based on the facts we have before us today, that he simply followed the process of using the inspector general's office for that investigation. But obviously, you know, if there are more questions to be answered in that regard, I believe he would be forthcoming because I think it is important we get this position done. And it is a post that needs to be filled, and I think he has shown -- at the OAS, he has certainly reinvigorated our presence and our mission there. So I hope we can resolve this matter and have him confirmed on that second point.

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On the first point obviously about the unanswered questions, I would just urge the State Department to fix that as soon as they can so we can get this post filled. Thank you.

The Chairman: Thank you. Is there further debate on Mr. Trujillo?

[No response.]

The Chairman: The motion before the committee is to report his nomination favorably.

All those in favor?

[Chorus of ayes.]

The Chairman: All those opposed?

[Chorus of noes.]

The Chairman: Did you want to be recorded? Senator Udall will be recorded. Senator Merkley will be recorded.

The motion has been adopted, and he will be reported to the floor.

Next, we have the nomination of Lisa Kenna to be ambassador to Peru. Is there a motion to report her nomination favorably?

Senator Johnson: So move.

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The Chairman: Senator Johnson moved that she be reported favorably. Is there a second?

Senator Romney: Second.

The Chairman: Senator Romney has seconded that nomination.

Is there debate on the -- on the motion?

Senator Menendez: Mr. Chairman?

The Chairman: Senator Menendez.

Senator Menendez: Mr. Chairman, I want to be clear that my support today for Ms. Kenna is contingent on her fulfilling a commitment she made to me at her nominations hearing to comply with outstanding requests that I, along with Chairman Engel, have had to interview her about political retaliation at the State Department and events surrounding the removal of Inspector General Linick. Again, this interview should have taken place before her nomination hearing and before this business meeting. But because I believe in fairness to nominees, particularly career nominees, and because I will, for the moment, attribute the delay to the State Department and not Ms. Kenna, I am willing to give her the vote with the expectation that she will fulfill her commitment and sit

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for an interview -- I believe the day is supposed to be August 7th -- and before her nomination advances to the floor.

If that does not happen for whatever reason, then it should go without saying that my view of her nomination is likely to change, and my insistence on following the regular order on the floor will attach.

The Chairman: Is there further debate?

[No response.]

The Chairman: There being no further debate, all those in favor, signify by saying aye.

[Chorus of ayes.]

The Chairman: Opposed, nay?

[No response.]

The Chairman: The ayes have it, and the motion --

Senator Cardin: Mr. Chairman, can I be recorded as no?

The Chairman: Yes, Senator Cardin will be recorded as a no. Anyone else?
Yes, Senator --

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Senator Perdue: Mr. Chairman, I would like to change my vote by proxy for Marshall Billingslea to --

The Chairman: Your microphone is not -- Senator Perdue, I do not believe --

Senator Perdue: Sorry, Mr. Chairman. I would like to change my vote, "yes by proxy," to "yes in person" for Billingslea.

The Chairman: Is there objection to his request?

Senator Graham: Mr. Chairman, I would like to do the same thing.

The Chairman: Is there objections to those?

[No response.]

The Chairman: There being none, it is so ordered.

Our last item on the agenda is our en banc list. We have 12 nominations. There are 11 on the script in front of me, but Ms. Vos has been added to that per negotiations with the minority. But in addition to that, we have six foreign service officer lists -- seven foreign service officer lists, which have been published in the notice. Is there a motion to send all those to the floor with the recommendation?

Senator Johnson: So move.

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The Chairman: Senator Johnson has moved.

Senator Menendez: Second.

The Chairman: Senator Menendez has seconded that motion.

Is there debate?

[No response.]

The Chairman: There being none, all those in favor, signify by saying aye.

[Chorus of ayes.]

The Chairman: Opposed, nay.

[No response.]

The Chairman: The ayes have it. That completes the business meeting this morning. Thank you all for attending.

Senator Gardner: Mr. Chairman?

The Chairman: Yes, sir?

Senator Gardner: I just want to thank Margaret MacLeod, my Pearson Fellow, who has done an incredible job this year. This is her last hearing. It has been kind of a wild year, so just all the people that work in our offices, our

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fellows, the staff, have put up with all the COVID-19 questions and challenges of hearings. Just thanks to all of them, but particularly to Margaret.

[Applause.]

The Chairman: It has been an interesting time. Thank you, Senator Gardner.

[Whereupon, at 9:29 a.m., the committee was adjourned.]

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