

BUSINESS MEETING

Wednesday, December 11, 2019

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

The committee met, pursuant to notice, at 10:10 a.m., in Room S-116, The Capitol,
Hon. James E. Risch, chairman of the committee, presiding.

Present: Senators Risch [presiding], Rubio, Gardner, Romney, Isakson, Barrasso,
Paul, Young, Cruz, Menendez, Cardin, Shaheen, Murphy, Kaine, Markey, and Merkley.

**OPENING STATEMENT OF HON. JAMES E RISCH,
U.S. SENATOR FROM IDAHO
THE CHAIRMAN.** The committee will come to order.

And today on the agenda, we have 23 pieces of legislation and 2 nominees to
consider.

Thank you for those of you who showed up to deliver a quorum. We had Senate
bill 482, the DASKA bill, which was requested to be held in a future meeting. We have
agreed to hear that next Wednesday.

The other big piece of legislation we had on, we also had a request on to hold
until the next meeting. And so that one, we are going to hold for the next meeting. The
next meeting is going to be held as quickly as we can a little later this week. Senator
Menendez and I are negotiating that at the present time.

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Business Meeting
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And we are going to talk about it today. At the next business meeting, the only thing we will do is we will vote on the bill on Turkey. But everybody can debate it today and put their two cents' worth in, and we will vote on whatever amendments we have left at that time and the bill itself. So, with that, as to that bill, like I said, we are going to talk about it today.

So Senate bill 2641 is the Promoting American National Security and Preventing the Resurgence of ISIS Act of 2019, a piece of legislation on which I have been very pleased to work in close partnership with Senator Menendez and his staff, as well as with a number of other members of this committee. Many, if not all of us, can agree that President Erdogan's conduct in recent months has been cause for alarm.

President Erdogan and the Turkish government have repeatedly been warned by the United States and fellow NATO allies that we will not abide the purchase -- we will not stand by while they purchase the Russian 400 missiles. At Erdogan's recent visit to the White House, he sat across from me and made the case for keeping the Russian weapon systems. I made it clear in no uncertain terms that doing so is a nonstarter for those of us in the Senate.

As long as the S-400s are in Turkey, under Turkish control, there will be no F-35s delivered to Turkey. This is President Erdogan's choice, and he is well aware of the consequences. Turkey cannot retain S-400 air defense systems and at the same time

obtain F-35 aircraft. That Turkey has begun to test the S-400s, especially against U.S.-origin F-16s, is certainly unacceptable.

The legislation will put in place a number of incentives that we hope will result in Mr. Erdogan rethinking the choices he has made and walk away from the S-400s. His incentives include barring the sale or transfer of F-16s and F-35s, including -- until the President certifies Turkey has divested itself of the Russian S-400s.

Additionally, Turkey's destabilizing activity in northeast Syria is of great concern, and this bill will address that and aim to curb any future actions that endanger our friends and partners, Syrian Kurds, and any actions which jeopardize the U.S. strategy between ISIS and Syria. This legislation is also aimed to dissuade Turkey from further interference in counter ISIS operations and imposes costs for serious Turkish-backed abuses of human rights.

Now is the time for the Senate to come together and take this opportunity to change Turkish behavior. We must take action to change their course and incentivize them to once again behave like a NATO ally. We have enjoyed a long history of positive relations with the Turkish people, and with targeted, smart policy like this, which we are considering today, I am confident we can convince President Erdogan to change course.

If he does, we can enjoy positive relations once again. When I met with President Erdogan, I told him how painful this was for us because of the fact that the Turks have been such a great ally of ours and worked so close together over the years, and the drift is painful, but unacceptable.

Finally, we will consider a very important resolution honoring the service of our dear friend Johnny Isakson today. I hope we will have a unanimous vote on that.

[Laughter.]

THE CHAIRMAN. Senator Isakson has been a member of the Senate Foreign Relations Committee since 2009. He served as ranking member of the Subcommittee on African Affairs from 2009 to 2013 and as chairman of the Subcommittee on State Department and USAID Management, International Operations, and Bilateral International Development from 2017 to 2019. Johnny has been a great champion for global development and reforming foreign assistance programs to enhance economic growth and bolster U.S. national security.

He led more than a dozen trips to Africa and worked to strengthen our relationship with the continent's 54 nations. He advocated for the work of the Peace Corps and led efforts to improve security and protection for volunteers with the passage of the Kate Puzey Peace Corps Volunteer Protection Act of 2011. He also

fought for the long overdue compensation for the Tehran hostages through the creation of the U.S. Victims of State-Sponsored Terrorism Fund.

As Senator Isakson wraps up his time in the Senate, he leaves behind an important legacy. He will be deeply missed by each and every one of us. From a personal standpoint, I will miss one of the best friends I have made up here.

I will now turn to Senator Menendez for his comments.

**STATEMENT OF HON. BOB MENENDEZ,
U.S. SENATOR FROM NEW JERSEY**
SENATOR MENENDEZ. Thank you, Mr. Chairman.

I am pleased that we have such a large legislative agenda before us this morning. I think it shows that there is significant interest and demand among members to legislate, and I am glad that we are having the opportunity to do so, and I hope we will continue to do so as we move forward. I know many members on my side have talked to me about legislation. A fair number of them have their items in here. Others are looking forward to the future.

I support passage of almost all of the items on the agenda, and I will only speak about a few. I appreciate the hard work, Mr. Chairman, that you, your staff, and my staff have done to finalize the text for S. 2641, the Promoting American National Security and Preventing the Resurgence of ISIS Act. The bill makes clear to Turkey that

its behavior with respect to Syria is unacceptable and its purchase of the S-400 system is untenable.

The House has already passed a version of this bill, so committee action sends an important message of joint American resolve.

We find ourselves at an inflection point with Turkey. For years, I have been more skeptical than most about Erdogan and his orientation towards the West. But Turkey's actions over the past year are truly beyond the pale. Purchasing the Russian S-400 air defense system in violation of U.S. law and of NATO's interoperability needs; engaging in offensive operations in northeast Syria against the Kurds and other civilians; committing, directing, or knowingly facilitating human rights abuses against our Kurdish allies in Syria; hindering counterterrorism operations against ISIS; engaging in the forcible repatriation of Syrian refugees from Turkey to Syria are just some of these actions.

And for some time now, I remember when Secretary Pompeo was before the committee well over a year ago and I showed him a photograph of President Erdogan, President Putin, and Rouhani, and I said, "What is wrong with this picture?" What was wrong with this picture was that here is our NATO ally engaged in conversations with two of our adversaries about the future of Syria. One, we were not there, and two, he was fully engaged with them.

This is the same Erdogan who made the statement before he came to meet President Trump and some of our colleagues that said, well, I am going to have an engagement with President Putin to decide what that agenda should be. So a NATO ally talks to Putin about what his conversation with the President of United States should be.

So for those who are worried about the proposition that doing anything pushes Turkey into Russia's arms, I think they are in their lap already. So I, for one, do not subscribe to that proposition.

So this bill would sanction Turkey for that behavior. It would also provide affirmative support for our Kurdish partners through refugee programming and participation in the Special Immigration Visa Program. These courageous individuals fought alongside the United States when it mattered. We should be there now in their time of need.

So, Mr. Chairman, I look forward to expeditiously coming to an agreement with you to move forward on the legislation.

I am also pleased that the committee is considering my reauthorization of the 2014 Venezuela Defense of Human Rights and Civil Society Act, which authorizes targeted sanctions against regime officials involved in human rights abuses. The committee voted on an extension of these sanctions in the VERDAD Act earlier this

year. The Democratic hotline for the VERDAD Act has already cleared. I appreciate the chairman's staff working with us toward full Senate approval, and I want to thank Senator Rubio for his partnership on this reauthorization.

I am very pleased that we are taking up S.J. Res. 4, and I want to commend Senator Kaine for his efforts in crafting and working to advance an important legislative item. NATO is the most successful military alliance in history. Maintaining U.S. membership in it is vital to the security of the United States.

There have been media reports that indicate the President has discussed withdrawing from NATO on multiple occasions because he does not see the value of the alliance and thinks it's a drain on our resources. I believe that that is woefully wrong.

Our membership in and contributions to NATO deters potential attackers because they understand that in threatening us, they are threatening 28 - hopefully soon to be 29 - other countries as well. And considering the number of times the President has sought to withdraw from international treaties without consulting Congress, I think it makes eminent sense to make sure that there is a view that no President, this or any future one, can do that as it relates to NATO.

There is a longstanding legal debate concerning the full reach of the Senate's treaty powers. I will simply say today that I find it inconceivable that the same

Founding Fathers who crafted a heightened standard for Senate advice and consent to ratify a treaty somehow also intended that a President could withdraw from Senate-approved treaties without even providing notice, much less consultation with or the approval of the Senate. So I look forward to supporting Senator Kaine in that effort.

I support passage of many other legislative items on the agenda. I appreciate the hard work my colleagues have put into the items on the agenda today. Just to mention a few, Senator Gardner's bill Stopping Malign Activities from Russian Terrorism, Senator Romney's Indo-Pacific Cooperation Act, Senator Markey's efforts to end the continued detention of Senator Leila De Lima in the Philippines, and Senator Coons' work on supporting the people of South Sudan.

With regard to DASKA, I appreciate that in light of the holdover, the chairman has committed to place it on the agenda for next week's business meeting.

And finally, for Senator Isakson, who I had remarks for once before when I thought it was his last session, but I am glad he is here helping us get this business meeting agenda over the line. Senator Isakson has proven to be one of the most incredible, positive forces on this committee and, to my view, in the Senate. He is the ultimate bridge builder. He helps to often bridge the divide between the different views of our parties and our institution.

And on this committee, his leadership has made for outstanding legislation that has become law and that will be a legacy not only to him, but to the causes which he endured. And so I am very happy once again, Johnny, to recognize your service, and I am pretty sure we are going to get a unanimous vote. And if not, the person who does not vote with us on your resolution will have difficulties in the days ahead.

[Laughter.]

SENATOR MENENDEZ. So that is a Jersey thing.

[Laughter.]

THE CHAIRMAN. Yes. Senator, coming from you, we know what that means.

SENATOR MENENDEZ. With that, Mr. Chairman, thanks very much.

THE CHAIRMAN. You are very welcome.

Senator Isakson?

SENATOR ISAKSON. I do not want to take the time of the committee, but I cannot help it. You are, obviously, such good friends and everybody has been so nice, and I appreciate it very much. Mr. Chairman, I appreciate your acknowledgment, and honestly, I love you guys and ladies, and I love this committee.

I did not want to go on the Foreign Relations. When I went on Foreign Relations, they asked -- Mitch told me, "I cannot get anybody to take it, and I need one more member on this so we got votes." I said, "I will do it for you, Mitch." And I went on and

said, "Oh, now I have to go to committee meetings."

Then they want to put me on Africa. So they sent me to Africa, and all of a sudden, I said this is fantastic. And I have had the best 6 years of my life -- working on this committee, with the chairs and ranking members. And Jim and the rest of you, I just want to thank you very much for making it very important to me, with a committee assignment 6 years ago to be one of the most meaningful jobs I got to do in my time in Congress.

So I appreciate all your support very much. I am not going to talk any longer. Thank you very much, and I appreciate it.

THE CHAIRMAN. I am going to move through the calendar now.

Senator Paul, did you want the floor to talk about it?

SENATOR PAUL. I wanted to speak about the bill S. 2641, in opposition. I would also ask unanimous consent to enter letters from the administration and the State Department in opposition to the bill.

THE CHAIRMAN. They will be admitted.

[THE INFORMATION REFERRED TO ABOVE IS LOCATED AT THE END OF THIS TRANSCRIPT BEGINNING ON PAGE 78.]

SENATOR PAUL. The administration – sorry [coughing].

VOICE. It was very emotional.

SENATOR PAUL. Yes.

[Laughter.]

SENATOR PAUL. I have not even got to the -- yet. We will soon get there.

But the administration is concerned about this bill for several reasons. One, as we have talked about in our committee, if we are going to have sanctions to influence behavior, we have to have some sort of plan for removing sanctions. So this bill has further congressionally mandated sanctions that cannot be removed without Congress.

The problem is, is Congress does not do a real good job or even have a means or a venue for negotiating with foreign countries. Particularly with Russia, we do not even meet with them because we sanctioned their legislators, and they consequently sanctioned the chairman of the committee, as well as others. So I think it is a little hard for Congress to negotiate removal of sanctions. We just keep placing them on, and the question is whether or not they work or not.

I think there is a constitutional question with this legislation, whether or not you can by statute change the Constitution. I do not think by statute you can take away presidential power and give it to the Office of the Director of National Intelligence. I think that there are possible legal challenges to this and should be. Because I do not think we want to set up a hierarchy where the President is given power by the

Constitution, and then we are going to make the Office of the Director of National Intelligence above the President. I think that is very, very worrisome.

One of the things that has happened recently is while we are unhappy with many of the things Turkey has done, and I agree completely with the sense of the bill that we should not sell them arms. I am all for that. We should withhold the F-35, the F-16, you name it. We should withhold all of those.

But sanctions are a different thing. And the reason I mention this is as Turkey began their incursion, it was projected to go much further than it did. The President put sanctions on, and for one of the first times in recent history, they had an effect, and he changed -- the Turks changed their behavior, halted their incursion, and there was much less loss of life than had been predicted by many.

So we have a situation where at least in the short-term interim, Turkey is actually talking to us and has actually listened to the threat of sanctions, and the leverage of sanctions has changed their behavior. If we put on sanctions that are hard to remove, that even the President gets vetoed by his own administration's Director of National Intelligence, I think we send a wrong message to them. Turkey this morning said, their foreign minister this morning said that they are considering closing our bases if we do this.

You know, we still have this big question of nuclear weapons that are still in Turkey. All of these things demand diplomacy, agility, and as Under Secretary Hale testified before our committee, he stated that there is a need for flexibility and reversibility with regard to sanctions. The point of sanctions is to condition behavior, not simply to punish another nation.

The Department of State has offered their views on this legislation, and we have entered those into the record. And they emphasize that they need more flexibility. How do we have diplomats negotiate if they do not have the power to remove the sanctions?

In the State Department's letter, they mention that the sanctions on Turkey that the President both implemented, then lifted 9 days later did affect and change Turkey's behavior. This is exactly the type of flexibility and outcome we should seek from sanctions, the quick application to send a message of disapproval and the quick reversal if we get a change in behavior.

Let us also not forget that the Turks understand that President Trump is fully capable and willing to not only implement sanctions on their country, but he also has the ability and will to do them at a moment's notice. He has not shown that he is afraid of implementing sanctions. In fact, he very quickly did, and they had an effect.

In some ways, the sanctions bill sort of ignores what has happened and just sort

of says we are angry, and we are going to do this. But there is a possibility we get the opposite of the intended -- the intended result. There is a possibility this simply pushes Turkey quicker and faster into the orbit of Russia.

If we are going to have mandatory sanctions on Turkey, I think it may undermine what has already been the case of an effective foreign policy tool. Further, I think we risk weakening and undermining the President's ability to negotiate with the Turks on issues such as the S-400. I think we also drive them further into Russia's orbit.

Section 312 is the section that also says that any weapons likely to be used in Syria. This essentially will be a moratorium on all weapons sales, I believe.

The risk we run with mandatory sanctions is pushing Turkey farther and further to the East, instead of to the West. Going back to Under Secretary Hale's testimony, when I asked him if there had been any meaningful behavioral changes by the Russians as a result of our various mandatory sanctions, he said basically no.

Add to that an August 2019 IMF estimate that our sanctions regime on Russia was costing them 0.2 percent off their GDP. So it is not having a large economic effect, and we are unable to point to behavioral changes on the part of Russia, and so now we have failed with sanctions towards Russia, and we are going to try the same thing on Turkey.

I think we need to be aware and cognizant of the possibility that we get the

unintended result of actually completely losing Turkey. Rather than having them turn back towards us, which I think is the intent of the committee, there is a possibility it further quickens their pace away from us.

I think we are all in agreement that Turkey has been a less than stellar ally of late, and Erdogan's conduct in many instances has not been acceptable. However, in this case, the incursion into Syria was responded to, an agreement was reached, and the situation is now somewhat stabilized.

You could even make the argument that Turkey's presence around Idlib may well have prevented massacres in Idlib. The reports leading up to that until Turkey put troops there was the possibility that there was going to be a massacre in Idlib. The Russians or Assad or Hezbollah would lead to a massacre.

Congressional sanctions will not give the administration leverage or supplement our efforts. I think it will detract. Congressional sanctions are a vehicle for undoing the administration's policy and for sowing even more distrust from Turkey, who feels like they have been talking to us. They actually in a small way have at least limited their incursion, and now they are being told they are going to get sanctions despite at least some degree of cooperation.

I think what we have here is a pretense to toughness that will have exactly the opposite of the intended effect. The President's threat of sanctions deterred the Turks

from continuing their incursion into Syria. We should let that work. These sanctions today, when placed despite Turkish overtures, will simply depict the U.S. in Turkish eyes as untrustworthy.

I hope the Senators will rethink this hasty and ill-timed action that I believe events has passed by and considering allowing the President to have some leeway in trying to modify Turkey's behavior.

THE CHAIRMAN. Thank you, Senator Paul.

I can tell you that, with all due respect, I view this thing very differently than you do. This is not some minor dust-up with this country. This is a drift by this country, Turkey, to go an entirely different direction than what they have in the past. They are abandoning their commitment to us. They are abandoning their commitment to other NATO allies.

One of the precipitating factors for me on this has been the purchase of the S-400 missiles from Russia. This is a violation of law of the United States, the CAATSA law that Senator Menendez was so instrumental in getting on the books. And this is not something that is not well thought out. I have been meeting with the foreign minister, with the Ambassador, with the minister of defense, and many other people from Turkey, their public officials, over these many, many months, telling them that they simply could not do this.

And they have thumbed their nose at us, and they thumbed their nose at their other NATO allies. This has got to be done. If we just look the other way on this, every country in the world is going to be looking at going the same direction, and we will be viewed as weak.

When the Turks came to see me, every time they would come in, including President Erdogan, when I met with him 2 or 3 weeks ago, said, well, we had to buy these because the United States would not sell us Patriot missiles for defense. That is a lie. That is an absolute lie. And I proved it to President Erdogan because I handed him the letter that Senator Shaheen and I signed and hand delivered to the foreign minister in Ankara in his living room of his personal residence on October 2, 2012.

That letter said we have available for you to purchase Patriot missiles. Buy them. And so any statement by the Turks that we would not sell them Patriot missiles is an absolute lie. They made a decision to purchase these from the Russians for a reason I do not understand, but it is clear that they are looking in a different direction than they have in the past.

I told President Erdogan, I tell the Turkish people this all the time, this is incredibly painful. This has been a great ally of ours over the years. As you noted, we have established a base there and worked with them for many, many years.

So I -- with all due respect, I understand you have a different view on this, Senator Paul. I respect that view. But this is something that we really need to do.

SENATOR PAUL. Mr. Chairman?

THE CHAIRMAN. Yes. Senator Paul, I will give you a word.

SENATOR PAUL. Just very quickly in response, I do not disagree with most of what you have said. I am very concerned about their behavior as well. I actually think the appropriate response is withholding the F-35 and any other significant military weapons from them at this point.

So not selling them weapons I think is a great idea. I think they have already accepted that, and I think the President is already doing that. I do not think there will necessarily be a response to that. I think going the extra beyond that, putting on sanctions that are very difficult to remove, such as we put on Russia, will not change their behavior, and that is the real question. It is an unknown. I do not know the answer, and no one knows the answer.

You want them to come back in our orbit. So do I. But the thing is, is will sanctions work to bring them towards us or push them away? And I think it is a debatable question that well-intended people do not know the answer to. But my fear is by doing this, we push them much quicker away, and we are acting precipitously. Whereas we should continue to condemn and criticize and try to find a solution to the

S-400 while withholding the F-35.

But I think going to the sanctions, there is a big problem if we wind up them taking over our bases, including our nuclear weapons. That is a real problem, you know? And so I do fear it getting worse instead of better.

THE CHAIRMAN. Well, I appreciate that, Senator Paul. I would say this, that there is no fear of them taking over our nuclear weapons. We cannot really go into that in an unclassified setting, but that is not a fear.

As far as them taking over our bases, that could happen. They could decide they do not want to be in NATO anymore. They are a sovereign nation, and they can certainly make that choice.

I think what we need to do is to deliver them real, honest-to-goodness consequences. They are making between 900 and 1,000 parts -- or were making 900 to 1,000 parts of the F-35. That is in the process of being removed. It is going to be painful for them from an economic standpoint, and certainly, the administration there in Turkey I think is going to have to weigh very carefully the very significant economic consequences that are going to flow from the passage of this bill.

And again, I respect your position. I just respectfully disagree.

Senator Romney?

SENATOR ROMNEY. Thank you, Mr. Chairman.

I would note that there are two elements, dramatic elements of Turkey's behavior to this that I think merit a significant consequence. One, of course, is the S-400 purchase and the idea of withholding F-35s and parts and so forth for F-16s that followed from that action.

But there is another action that I hope we do not forget, and that is that we exerted all the effort we could diplomatically, president-to-president, to tell Turkey do not invade Syria. Do not attack the Kurds. They are our allies. They are our friends. We are there. Do not come in.

We did everything in our power as a nation to tell them not to come into Syria, and they did. They did it anyway. They came in and attacked our allies, killed our allies, and then we went to them and said please stop, and we will pull off sanctions.

So we had sanctions in place for the bad behavior. Then we pulled them out. What consequence is there for the fact that they turned against their ally, against our extreme wishes expressed to them every way we possibly could, what consequences are they facing by virtue of having invaded their sovereign neighbor and killed members of the Kurd community?

And that is one reason, in my view, that it is appropriate for sanctions to be put in place. I am glad they did not keep on going, but let us not forget that they went in

there in the first place, contrary to our wishes expressed to them in as most clear a way as we possibly could.

Thank you, Mr. Chairman.

SENATOR MENENDEZ. Mr. Chairman?

THE CHAIRMAN. Senator Menendez?

SENATOR MENENDEZ. Mr. Chairman, I have just a couple of points, and I understand Senator Paul has a view against sanctions, and I respect that. I have a difference with him. There is only a handful of peaceful diplomacy tools we have as a nation. Russia uses its military to pursue its foreign policy. We do not do that. We should not do that.

But by the same token, we only have a handful of peaceful diplomacy tools, the use of our aid and our trade to induce countries to act a certain way; international opinion, and we can create enough international opinion in a country susceptible or leader susceptible to being affected by that; and then the denial of aid or trade or our financial institutions, which are sanctions. And that is, in essence, the limited arsenal we have of peaceful diplomacy tools.

I would just say that, but even going to this specific bill, these sanctions, Senator Murphy made the case to us early on, along with others, that what we should do is have sanctions if Turkey does not change its course. –This is to affect its actions.

So the sanctions only kick in if, in fact, Turkey moves on a path that violates the criteria. So it has an option. It is an attempt to move away from the sanction that is automatic and then figure out how you take it off to saying we will only sanction you if you do X, Y, or Z. So I think it is very prospective in that regard.

Secondly, there are waivers here. And to be very honest with you, having seen the President with CAATSA, where he still has not slapped sanctions on Turkey on CAATSA, I get concerned about waivers because we send a global message. You know, if Turkey gets away with this, then how do you tell any other country that wants to buy the S-400, you know, sorry, you are going to get sanctioned, but you did not sanction Turkey, which means they are likely to buy it.

Egypt is looking at this. So at the end of the day, they are likely to go ahead and buy it because, at the end of the day, the United States is not going to do anything.

Yet, nonetheless, there are waivers in this legislation, in addition to the fact that its sanctions are prospective in its criteria. I think those are two very meaningful differences than other sanctions legislation we have crafted in the past.

And then, lastly, I would just say at some point I am wondering whether we are hostage to Turkey in our foreign policy? We cannot recognize the Armenian genocide, which is a fact of history that our own diplomats documented at great length, because it offends Turkey. Even though a dozen other countries, including a host of NATO allies,

have recognized it.

We cannot sanction Turkey on this because, oh, God forbid, they will take our base. At the end of the day, they huffed and they puffed, and the President blinked. And we are in Syria where we are. It is not because of sanctions. They got their way. They got what they wanted.

At some point, if you see that a country's constant actions belie their words and most importantly, at the end of the day, show that nothing is stopping them, based upon the good efforts, the diplomacy that we have generated, the forbearance that we have had with Turkey versus virtually any other country, then you have to say, well, that is not working either.

So I am strongly supportive of the chairman's effort. I think it makes a lot of sense, and I know that he does not come to this -- it is not necessarily his predilection either. So the fact that we have come together to negotiate something that is prospective, has waivers and whatnot, I think hits the sweet spot and is the right action.

SENATOR CARDIN. Mr. Chairman?

THE CHAIRMAN. Senator Cardin?

SENATOR CARDIN. Mr. Chairman, I just really want to underscore the point that you and Senator Menendez made, and Senator Paul is a very passionate legislator and views. We disagree on these issues.

I want to talk about sanctions for one moment in a more general sense. Because as Senator Menendez said, the United States prefers to use nonmilitary ways to deal with foreign policy, and the military should be a matter of last resort. That is different than other countries, such as Russia, who use military first, and we want to avoid military confrontation.

Sanctions have played an extremely important part of our foreign policy historically, and U.S. leadership on sanctions has brought about fundamental changes around the world. I think about the isolation of the apartheid South Africa and how we were able to bring about change in that country without the use of force. That was U.S. leadership, and that was controversial at the time, but it brought about change.

I think about U.S. leadership in isolating Iran. That got them to the bargaining table. You may not have liked the final agreement, but they would not have gone to the bargaining table without the sanctions. And we were able to isolate them in order to do that.

I would argue that sanctions have played an important part in the calculations of North Korea. So sanctions have worked effectively in the past. And on human rights, sanctions have been a very powerful tool. Think about the summit meeting between President Trump and Mr. Putin in which the Magnitsky sanctions were on the agenda of Mr. Putin because it does affect very much decisions made by all of oligarchs as to

what they are going to do in regards to human rights issues.

So Senator Paul mentioned that it only had an, in fact, 0.2 percent of their GDP. 0.2 percent, by the way, is significant. That is not an insignificant change in economic activity. But we know sanctions have had a major impact on the economies of countries which have been under U.S. sanctions, particularly when it is joined by the international community, which have followed us in these sanctions.

And quite frankly, we cannot measure the number of people who have been spared human rights -- being human rights victims because of the recognition of abusers that if they do these things, they may end up as a Magnitsky sanction. So it, to me, it is one of the most powerful tools that America has, and the proof here is that the international community looks to America for leadership as we apply these types of diplomatic tools in order to bring about change. And we have brought about change as a result.

THE CHAIRMAN. Senator Merkley?

SENATOR MERKLEY. I just wanted to thank you for including in the measure and we do eventually officially consider this a clause that encourages NATO to pursue an agreement that members will not acquire military equipment that is incompatible with the security of NATO. I kept wondering, how did this S-400 decision come about? Did NATO not have some kind of understanding that no member is going to compromise

the security of the whole?

And certainly, that is consistent with the philosophy and the goal of NATO. And so I think the S-400 does suggest that NATO should have that discussion, trying to figure out how to prevent a similar situation from arising in the future, and thank you for including it.

THE CHAIRMAN. Well said, Senator Merkley.

As we talked about this, one wonders why there was not such a provision in NATO, but it is kind of like a lot of other things. I think the people sitting around the table believed that everyone was going to act in good faith and that really no one could conceive that someone would be doing this sort of thing.

And here, we were trying to push back on the bear, and one of the NATO allies would be holding hands with them under the table. People could not even conceive that. So that is probably why it was not on there, but well said, and I think this should be explored in the future to strengthen the alliance.

Is there further debate? Senator Paul, do you still want to wait until tomorrow to vote on this?

SENATOR PAUL. You know, I am kind of feeling the Christmas spirit. You want to just vote now?

THE CHAIRMAN. That would be really good if we could. We will do that.

[Laughter.]

THE CHAIRMAN. We will do that. Thank you very much.

SENATOR PAUL. Merry Christmas.

THE CHAIRMAN. And Merry Christmas to you. Senator Shaheen?

SENATOR SHAHEEN. I have two amendments, and I am not going to offer either of those to the bill. One was that was language recommended by the Syria study group that created an ISIS detainee coordinator. That language was in the manager's amendment. I appreciate the chair and ranking member agreeing to that.

The second would have put sanctions on Turkish officials and their families for human rights violations and corruption in not just Syria, but also in Turkey. I appreciate the concerns about that and hope that you all, both the chair and ranking member, will join me in a letter to Mnuchin and Pompeo because we do have the authority under the Magnitsky sanctions to do that.

THE CHAIRMAN. Senator, I really appreciate that. This is a -- this compromise was delicate, to say the least. And so that the withdrawing that amendment I think will be very helpful and conducive to moving this thing along.

So thank you for doing that.

SENATOR MENENDEZ. Pardon me, Mr. Chairman. I want to congratulate Senator Shaheen, first of all, on the first part, which is included in the manager's amendment,

and I am strongly supportive of your effort. I appreciate you not offering it because we need to move forward on this bill. It is a challenging one, but I will sign onto it.

SENATOR SHAHEEN. Thank you.

THE CHAIRMAN. Thank you.

All right. With that, Senator Paul?

SENATOR PAUL. Do you want the other amendments now, or what are you looking for?

THE CHAIRMAN. What is that?

SENATOR PAUL. Are you looking for amendments to be offered?

THE CHAIRMAN. No, I am not looking for anything.

[Laughter.]

THE CHAIRMAN. Thanks for asking. Where are we -- yeah. Well, do you have an amendment to offer?

SENATOR PAUL. Sure.

THE CHAIRMAN. Okay. How many do you have?

SENATOR PAUL. Two, and they are very short.

SENATOR MENENDEZ. Mr. Chair, procedurally, before Senator Paul offers his, or anyone else, are you going to offer the manager's amendment?

THE CHAIRMAN. I am going to do that, yeah. But --

VOICE. Go. You can go in what order --

THE CHAIRMAN. All right. Well, let us take the manager's amendment first. If we can do that, we could do it on a -- quickly on a voice vote, then move to the substance.

I would entertain such a motion.

SENATOR MENENDEZ. So move.

SENATOR CARDIN. Mr. Chairman, just to clarify, I understand I think included in the manager's amendment is the reference that nothing in the statute would be interpreted as an authorization of use of military force. Is that in --

THE CHAIRMAN. Yes, that is in this.

SENATOR CARDIN. I just wanted to make sure that was in there.

THE CHAIRMAN. Is there a second to the motion?

SENATOR CARDIN. Second.

THE CHAIRMAN. It has been moved and seconded that we adopt the manager's amendment.

All those in favor, signify by saying aye.

[A chorus of ayes.]

THE CHAIRMAN. Opposed, nay.

[No response.]

THE CHAIRMAN. The ayes have it, and the manager's amendment has been adopted.

Senator Paul?

SENATOR PAUL. Actually, I was just informed that both of my amendments are in the manager's package. So I do not have any amendments.

THE CHAIRMAN. Merry Christmas to you again.

[Laughter.]

THE CHAIRMAN. Given that, is there further debate?

[No response.]

THE CHAIRMAN. If not, we would move to send it to the floor, send it to the floor with affirmative recommendation.

SENATOR MENENDEZ. So move, Mr. Chairman.

THE CHAIRMAN. Is there a second?

SENATOR CARDIN. Second.

SENATOR PAUL. Mr. Chairman? Can I have a recorded vote?

THE CHAIRMAN. Yes, we will have a recorded vote. It has been moved and seconded that we adopt and send to the floor with a "do pass."

The clerk will call the roll.

THE CLERK. Mr. Rubio?

SENATOR RUBIO. Aye.

THE CLERK. Mr. Johnson?

THE CHAIRMAN. No, by proxy.

THE CLERK. Mr. Gardner?

THE CHAIRMAN. Aye, by proxy.

THE CLERK. Mr. Romney?

SENATOR ROMNEY. Aye.

THE CLERK. Mr. Graham?

THE CHAIRMAN. Aye, by proxy.

THE CLERK. Mr. Isakson?

SENATOR ISAKSON. Aye.

THE CLERK. Mr. Barrasso?

SENATOR BARRASSO. Aye.

THE CLERK. Mr. Portman?

THE CHAIRMAN. Aye, by proxy.

THE CLERK. Mr. Paul?

SENATOR PAUL. No.

THE CLERK. Mr. Young?

THE CHAIRMAN. Aye, by proxy.

THE CLERK. Mr. Cruz?

THE CHAIRMAN. No, by proxy.

THE CLERK. Mr. Menendez?

SENATOR MENENDEZ. Aye.

THE CLERK. Mr. Cardin?

SENATOR CARDIN. Aye.

THE CLERK. Mrs. Shaheen?

SENATOR SHAHEEN. Aye.

THE CLERK. Mr. Coons?

SENATOR MENENDEZ. Aye, by proxy.

THE CLERK. Mr. Udall?

SENATOR MENENDEZ. No, by proxy.

THE CLERK. Mr. Murphy?

SENATOR MURPHY. Aye.

THE CLERK. Mr. Kaine?

SENATOR KAINE. Aye.

THE CLERK. Mr. Markey?

SENATOR MENENDEZ. Aye, by proxy.

THE CLERK. Mr. Merkley?

SENATOR MERKLEY. Aye.

THE CLERK. Mr. Booker?

SENATOR MENENDEZ. Aye, by proxy.

THE CLERK. Mr. Chairman?

THE CHAIRMAN. Aye.

THE CLERK. Mr. Chairman, the yeas are 18; the nays are 4.

THE CHAIRMAN. The motion is passed.

Let us move to the nominations. We have two nominations. One is the Honorable Sung Kim to be Ambassador to Indonesia and Mr. Stephen E. Biegun to be Deputy Secretary of State.

I would entertain a motion.

SENATOR MENENDEZ. So move.

SENATOR MERKLEY. Second.

THE CHAIRMAN. It has been moved and seconded that the appointments be favorably reported. Is there debate? There being no debate --

SENATOR BARRASSO. Mr. Chairman, if I may on --

THE CHAIRMAN. Senator Barrasso?

SENATOR BARRASSO. -- moving the nomination of Sung Kim to be the Ambassador to Indonesia, and I spoke about this in the committee hearing when he was there testifying, and I am going to reiterate my opposition to the nominee.

On September 5th of 2007, the Associated Press reported that the Ambassador, at the time Ambassador to the Philippines, pledged to the government of the Philippines to move what are known as the Bells of Balangiga from Wyoming to the Philippines. He specifically stated, he said that the United States was "deeply committed that the bells are returned to the Filipino people."

Nothing could be further from the truth, Mr. Chairman. This raised lots of questions about the process in which the U.S. Government was supposed to consult with Wyoming veterans. Based on Ambassador Kim's comments, it appears the decision was already made before they consulted with the Wyoming American Legion and the Wyoming Veterans of Foreign Wars, and I join the Wyoming veterans in strongly opposing the efforts of Ambassador Kim.

The bells were not just some bells indiscriminately taken during the Philippine insurrection. These bells were part of a veteran memorial located in Wyoming that paid tribute to those who were the victims of massacre of the C Company of the 9th Infantry. The bells were used by the Filipino insurgents to signal an attack on American soldiers while they were asleep. Forty-eight of the 75 U.S. soldiers were killed during the attack,

and to honor the soldiers of the company, these bells were legally brought to Cheyenne, Wyoming, placed at Fort D.A. Russell, which is now F.E. Warren Air Force Base.

So Ambassador Kim's support for moving the bells to the Philippines resulted in tearing down a veteran memorial in Wyoming with a strong tradition of never forgetting the sacrifices of our brave men and women, and dismantling this veterans memorial was completely unacceptable. To me, Ambassador Kim's support and involvement helped establish a dangerous precedent for future veteran and war memorials. So I will oppose his nomination and will continue to oppose it through the process.

THE CHAIRMAN. Thank you, Senator Barrasso. I think we all understand the sensitivity of this. So would you accept a roll call vote with you recorded as no? Or excuse me, a voice vote, with you recorded as no?

SENATOR BARRASSO. Yes.

THE CHAIRMAN. Okay. Thank you.

Is there further debate on the two nominations?

[No response.]

THE CHAIRMAN. There being none, all those in favor of reporting these nominations favorably en bloc, please signify by saying aye.

[A chorus of ayes.]

THE CHAIRMAN. Opposed, nay.

SENATOR BARRASSO. Nay.

THE CHAIRMAN. Senator Barrasso will be recorded as voting no. The ayes have it, and the nominations will be so moved.

SENATOR MENENDEZ. And that is just on Kim?

THE CHAIRMAN. Yes, just on Kim.

SENATOR BARRASSO. On Kim alone.

THE CHAIRMAN. Yes. Thank you, Senator.

Okay. With that, we will next move to we have 12 revolutions -- resolutions.

[Laughter.]

THE CHAIRMAN. We only have one revolution. We have got 12 resolutions.

VOICE. It would be a momentous meeting.

THE CHAIRMAN. Yes, and we have negotiated those I believe to the point where they are available to vote out en bloc. I think I need to read, I am told, into the record.

So the Senate Res. 142, as amended by the preamble and resolving clause amendments.

Number two is Senate Res. 152, as amended by the preamble and resolving clause amendments.

Number three is Senate Res. 260, as amended by the title, preamble, and resolving clause amendments.

Four is Senate Res. 297.

Five is Senate Res. 343.

Number six is Senate Res. 371, as amended by the revised preamble and revised resolving clause amendments.

And seven is -- item seven is Senate Res. 374.

Number eight is Senate Res. 375, as amended by the preamble amendment.

Number nine is Senate Res. 385, as amended by the revised mark to the first-degree amendment.

Number 10 is Senate Res. 395.

Number 11 is Senate Res. 447, as amended by the preamble and resolving clause amendments.

And number 12 is Senate Concurrent Resolution 23, as amended by the preamble amendment.

Would any members like to comment on any of these resolutions?

SENATOR ISAKSON. Yes, Mr. Chairman.

THE CHAIRMAN. Senator Isakson?

SENATOR ISAKSON. I just want all the committee to be aware, we are finally getting some compensation for the Iran hostages -- Tehran. This is first time we have been able to do it. I have worked on it a long time in the committee. We worked through this unanimously. And they got their second checks recently and will get the remainder of them as the money comes in from Iran that was taken --

And we also settled the argument that the hostages -- those who lost money and lost friends in New York during the attack of 9/11 will be compensated. So we are helping with that, and the first hostages, the Iran hostages are finally getting the help they should have over the years.

Thank you.

THE CHAIRMAN. Thank you, Senator Isakson.

With that, Senator Shaheen?

SENATOR SHAHEEN. Thank you, Mr. Chairman.

I am not speaking directly to S. Res. 374, but because it raises the issue of Lebanon and the Marines killed in the tragic bombing, terrorist bombing in 1983, I want to again raise before this committee the fact that we have an American citizen from New Hampshire, Amer Fakhoury, who is being held in Lebanese jail without charges. Has been held there since September the 12th.

Now he has been diagnosed by a Lebanese doctor in a Lebanese hospital with

lymphoma, which it appears that he received because of the unsanitary conditions in the Lebanese jail. And they are still refusing to let him out, give him a humanitarian release so he can come back to the United States and get treatment.

I think this is a travesty, and we should continue as a committee to raise concern any time an American citizen is falsely imprisoned overseas.

THE CHAIRMAN. Thank you, Senator Shaheen. Well said. We will note that in the record, and I could not agree with you more.

So, with that, we have had a motion pending before us to adopt these 12 resolutions en bloc. Anybody can record it afterwards as a nay.

All those in favor, signify by saying aye.

[A chorus of ayes.]

THE CHAIRMAN. Opposed, nay.

[No response.]

THE CHAIRMAN. The ayes have it. These will be reported out favorably. Does anybody wish to record a no on any of them?

[No response.]

THE CHAIRMAN. If not, thank you very much.

We now -- Senators, I appreciate your patience on this. We have got a number of pieces of legislation that we really need to move through, but what we have to start

with is we have negotiated five of these to be moved en bloc.

Number one is S. 2547, the Indo-Pacific Cooperation Act, as amended by the manager's amendment.

Number two is H.R. 2744, USAID branding bill, as amended by the substitute amendment.

Number three is Senate bill 2977, the Venezuela bill.

Number four is S. 1310, the OAS bill, as amended by the substitute amendment.

And five is H.R. 133, the U.S.-Mexico Economic Partnership Act, as amended by the substitute amendment.

First of all, is there a motion to adopt these en bloc?

SENATOR MENENDEZ. So move.

THE CHAIRMAN. Second?

SENATOR CARDIN. Second.

THE CHAIRMAN. It has been moved and seconded to adopt these en bloc positively. And is there any comment on any of these bills before we approve them? Very significant legislative --

SENATOR PAUL. Could I be recorded as a no on S. 2547?

THE CHAIRMAN. You may, Senator. Which one was it? 2977?

SENATOR PAUL. 2547, the Indo-Pacific.

THE CHAIRMAN. You will be recorded as no. Any further comments, debate?

[No response.]

THE CHAIRMAN. If not, all those in favor, signify by saying aye.

[A chorus of ayes.]

THE CHAIRMAN. Opposed, nay.

[No response.]

THE CHAIRMAN. The ayes have it, and the five matters will be reported out positively. Senator Paul will be recorded as a no on S. 2547.

So, with that, we will now move to a number of pieces of legislation. We have in front of us -- first one is Senate bill 1830, the ESCAPE Act. We will consider Senate bill 1830.

Senator Barrasso?

SENATOR BARRASSO. Mr. Chairman, thank you. I appreciate you putting this bill on the markup today. I also wanted to thank the cosponsors on this committee, Senators Gardner and Isakson and Cruz, for their support of the legislation.

Energy security is a critical part of our shared defense. This is a national security program for the United States when our allies are increasingly dependent on Russian gas. Freeing Europe from Russian energy dependence is going to strengthen both our allies and our NATO alliance.

Russia continues to undermine peace and security in Europe through a variety of mechanisms, including its use of energy as a geopolitical weapon. It uses its energy sector as a weapon to intimidate, influence, and coerce other nations. Russia is Europe's main energy supplier. It also has a significant ownership in Europe's energy infrastructure, its distribution and storage facilities.

It is in the national security interest of our country to help our allies decrease their dependence on Russian energy. Our national security is increased by reducing the potential leverage that Russia would hold over our NATO allies. So due to some technical advances and newfound abundance of natural gas in the United States, we here can be a strategic energy supplier and should be to Europe.

The United States can help Europeans meet their energy demands, diversify their energy imports, and get away from countries that use energy as a weapon. Our ability in the United States to provide natural gas exports creates jobs across our country and assists in reducing our Nation's trade deficit, and it helps our allies and strategic partners across the globe.

So I introduced this what is called the ESCAPE Act, and it stands for Energy Security Cooperation with Allied Partners in Europe, and it defines ways to help our NATO allies address energy security. The bill does three things.

It deems it as in the public interest to export U.S. liquified natural gas to NATO allies. It creates a transatlantic energy security strategy focused on enhancing the energy security of NATO allies and increasing American export of energy, energy technologies, and energy development services to these countries, and it directs our NATO representatives to work with our allies and our partners to achieve that energy security.

So I think it is time for Congress to provide our NATO allies and our defense treaty partners a better energy option. And with that, I bring this and support passage of S. 1830.

THE CHAIRMAN. Senator Paul?

SENATOR PAUL. If I could speak briefly in opposition to it? I think the interdependency of trade is actually a deterrent to war, and when people describe Germany as being dependent on Russian oil, Russia is equally dependent on Germany's euros. I mean there is an equation really where both sides have an interdependency.

Trade is a good thing, and I think cutting off trade, and if we were in a war with Russia, that is one thing. But we are not at war. We are adversaries. We have a lot of problems. We are trying to modify behavior. But we should not be getting involved in -- we should not get involved in sort of economic kind of mercantilism that we are going to protect ours against theirs kind of stuff.

And so I think it is a really bad idea. The Nord Stream 2, as I have mentioned before, is almost done. It will probably be done before any of the things will get promulgated. I mean, it is really on the cusp of being done.

So I would like to be recorded as a no on this.

THE CHAIRMAN. Thank you, Senator Paul.

We have a substitute amendment to start with. Is that correct, Senator? Is there a motion to adopt the substitute amendment?

SENATOR BARRASSO. So move.

SENATOR MENENDEZ. Second.

THE CHAIRMAN. It has been moved and seconded the substitute amendment be adopted.

All those in favor, signify by saying aye.

[A chorus of ayes.]

THE CHAIRMAN. And Senator Paul, did you want to be recorded as no?

SENATOR PAUL. On the final passage.

THE CHAIRMAN. On the final passage, okay. Are there other amendments at this time?

SENATOR MERKLEY. Mr. Chairman?

THE CHAIRMAN. Senator Merkley?

SENATOR MERKLEY. So I do have an amendment, a couple of concerns. First, I share Senator Barrasso's concerns about Russian gas and European dependence on the Nord Stream 2 pipeline. But this bill does more than that. This bill addresses not just NATO, but also Japan and also any other nation designated by the Secretary of State in consultation with the Secretary of Defense.

So it is opening the door worldwide, and it says that exports shall be deemed to be consistent with the public interest. Which some 20 years ago, I might have completely agreed with, but I do not today because we are facing a planetary challenge of damage created by carbon pollution from burning fossil fuels.

And I think each and every expanded use of fossil fuels raises the damage, and my State is experiencing a tremendous number of effects. It is affecting our ranchers and our farmers because of the less irrigation water coming out in the summers in the Cascades. It is affecting our forest industry because of fires. It is affecting our cities because of the smoke. It is affecting off the coast of Oregon our entire ocean ecosystem with the more acidic, warmer water.

And I think it is just absolutely wrong to be saying we are going to deem expediting transactions in natural gas around the world to be in the public interest. It is an issue that should be debated on a case-by-case basis in the future.

I was also concerned about the language that there will be essentially expeditious approval that goes along with this deeming of the public interest and wanted to make sure that we were not overriding any provisions related to eminent domain in the Clean Water Act, Clean Air Act, and so forth.

And so I will oppose the bill on the basis that we should not be deeming in the public interest, but I am also proposing that we make it very clear that we are not overriding the Clean Water Act, that we are not overriding the Clean Air Act, that we are not overriding the Endangered Species Act, that we are not overriding anything related to citizens' rights with eminent domain.

So that is my amendment. You have it before you, and I encourage you pass it.

THE CHAIRMAN. We are talking about Merkley 1. Is that correct?

SENATOR MERKLEY. Yes.

THE CHAIRMAN. Then are you going to offer Merkley 2 also, Senator?

SENATOR MERKLEY. Just 1.

THE CHAIRMAN. Just 1 at this time. Okay.

Senator Barrasso, did you wish to speak?

SENATOR BARRASSO. If I may, Mr. Chairman? I urge my colleagues to not adopt this amendment as drafted. Nothing in the bill modifies or eliminates the application of

any environmental laws in the Department of Energy's export application process. This amendment seeks to undermine, I believe, the very purpose of the bill, which is to ensure that we can export American natural gas to our allies and friends quickly and when needed.

They are going to use someone's natural gas. This is not going to keep natural gas out of being used. Under current law, shipments to countries with whom we have a free trade agreement with the natural gas amendment are deemed in the public interest, an application shall be granted without modification or delay. That is the Natural Gas Act, Section 3.

Now Senator Merkley's amendment could be construed to oppose NEPA requirements on applications to the Free Trade Agreement countries, and this is going to create delays, especially endless legal exposure to the process of shipping domestic gas to our allies. This has nothing to do with NEPA.

And as discussed, if we keep our energy in the ground at home, it is going to result in production increases elsewhere. By adding uncertainty and delay to exports, I think we are just creating a very enticing opening for Russia to do more.

THE CHAIRMAN. Further debate? Senator Cardin?

SENATOR CARDIN. I am going to support the Merkley amendment, and I am going to reluctantly oppose the bill. And I want to continue, I think what Senator

Barrasso is trying to do is the right thing, that is take away the weaponization of energy that is particularly used by Russia, which is something I strongly support.

I am concerned that this does deal with domestic energy policy that I do not think has been totally thought out the impacts of changing the export rules in regards to our own energy sources. So I hope we can work that out as this bill moves forward, but I just wanted to explain my negative vote now because I think the bill is well intended.

SENATOR MENENDEZ. Mr. Chairman?

THE CHAIRMAN. Senator Menendez?

SENATOR MENENDEZ. Thank you, Mr. Chairman.

I appreciate Senator Barrasso, probably the foremost voice in promoting energy exports from the United States and seeking to use energy as a positive tool at the end of the day. But as worded, I agree with Senator Merkley. I am afraid that that goal, as important as it is, in the language here, I take this language to suggest that it is expedited permitting for just about any pipeline.

And it is the deregulation of natural gas and a lack of provisions for renewable energy that cause me to be concerned as part of an overall package. So I think that the concerns that Senator Merkley has are on point, and I am going to support his amendment and ultimately, depending upon how that goes, I may very well oppose the bill based upon this.

THE CHAIRMAN. Senator Cruz?

SENATOR CRUZ. Thank you, Mr. Chairman.

Just a question for Senator Barrasso. I am a cosponsor of the bill. I think it is a very positive bill, increasing U.S. energy exports. But to make clear, since the discussion is the impact on the environment, to the extent the United States is exporting more liquid natural gas and our trading partners are shifting their energy production from coal to natural gas, my question for Senator Barrasso is, is making that shift good or bad for the environment?

Our friends, particularly on the Democratic side, frequently point to concerns about climate change. Is it not the fact that moving from coal production to natural gas production dramatically reduces the carbon emission? So if that is a concern, this bill would be a serious step in the right direction.

SENATOR BARRASSO. Well, I think it is a serious step in the right direction. You are absolutely right. We have seen in the United States emissions have actually gone down as we have had more natural gas-powered electric generation at gas-powered power plants.

We have seen that across the country, which is why over the last 10 years our emissions have gone down as a result of the technology. With fracking and development of additional supplies of natural gas, it is cheaper. On the other hand, you

have Russia having to build and bring a tanker into the Boston Harbor to bring in natural gas because they do not have the pipeline to pass it.

Now a statement by one of my other colleagues, actually there is nothing in here that has to do with pipelines. You may read it that way. That was not intended in any way. To me, there is nothing in this that relates to expediting approval for pipelines. This has to do with exports, not pipelines.

THE CHAIRMAN. Further debate? There being none --

SENATOR MERKLEY. May I ask the chairman if I might respond?

THE CHAIRMAN. Yes.

SENATOR MERKLEY. One cannot argue both -- well, I guess one can argue because we just heard it. But --

[Laughter.]

SENATOR MERKLEY. -- it is inconsistent to argue that nothing in this bill touches on eminent domain or clean water or clean air and then argue that including an amendment that says so explicitly creates some kind of obstacle. It is either one or the other.

And so I do appreciate the affirmation that this bill does not touch on those issues, but if, in fact, that is the case, then let us say it in writing.

Second, I think it is important, and Senator Cruz, you and I have had this conversation before, to note that while at the point of combustion, natural gas does produce more energy with less carbon dioxide, taken as a system as a whole, because of the leaking of the natural gas system, which releases a tremendous amount of methane, it is actually more or less equivalent with the damage to the climate.

And then you throw in LNG, which spends a tremendous amount of energy in compression on both ends of the operation, and it is very questionable whether it is better in that case. So I am just challenging that basic premise you put forward. It will remain an item of debate.

THE CHAIRMAN. Thank you, Senator Merkley.

We have before us a motion to adopt Senator Merkley's Amendment Number 1. I did not hear a second.

VOICE. Second.

THE CHAIRMAN. It has been moved and seconded that Merkley 1 be adopted. I am going to have the clerk call the roll on this.

THE CLERK. Mr. Rubio?

SENATOR RUBIO. No.

THE CLERK. Mr. Johnson?

THE CHAIRMAN. No, by proxy.

THE CLERK. Mr. Gardner?

SENATOR GARDNER. No.

THE CLERK. Mr. Romney?

SENATOR ROMNEY. Yes.

THE CLERK. Mr. Graham?

THE CHAIRMAN. No, by proxy.

THE CLERK. Mr. Isakson?

SENATOR ISAKSON. No.

THE CLERK. Mr. Barrasso?

SENATOR BARRASSO. No.

THE CLERK. Mr. Portman?

THE CHAIRMAN. No, by proxy.

THE CLERK. Mr. Paul?

SENATOR PAUL. Yes.

THE CLERK. Mr. Young?

SENATOR YOUNG. No.

THE CLERK. Mr. Cruz?

SENATOR CRUZ. No.

THE CLERK. Mr. Menendez?

SENATOR MENENDEZ. Aye.

THE CLERK. Mr. Cardin?

SENATOR CARDIN. Aye.

THE CLERK. Mrs. Shaheen?

SENATOR SHAHEEN. Yes.

THE CLERK. Mr. Coons?

SENATOR MENENDEZ. Aye, by proxy.

THE CLERK. Mr. Udall?

SENATOR MENENDEZ. Aye, by proxy.

THE CLERK. Mr. Murphy?

SENATOR MURPHY. Aye.

THE CLERK. Mr. Kaine?

SENATOR KAINE. Aye.

THE CLERK. Mr. Markey?

SENATOR MENENDEZ. Aye, by proxy.

THE CLERK. Mr. Merkley?

SENATOR MERKLEY. Aye.

THE CLERK. Mr. Booker?

SENATOR MENENDEZ. Aye, by proxy.

THE CLERK. Mr. Chairman?

THE CHAIRMAN. No.

THE CLERK. Mr. Chairman, the yeas are 12; the nays are 10.

THE CHAIRMAN. The nays are how many?

THE CLERK. Ten.

THE CHAIRMAN. Okay, the amendment has been adopted.

We now have before us substitute amendment, as amended by the Merkley 1 amendment. Voice vote okay?

All those -- and anybody who wants to be recorded can be recorded. All those in favor, signify by saying aye.

[A chorus of ayes.]

THE CHAIRMAN. Opposed, nay.

[No response.]

THE CHAIRMAN. The ayes have it, and Senate bill --

SENATOR CARDIN. I would like to be recorded as no.

THE CHAIRMAN. Senator Cardin will be recorded as no.

Senator Merkley will be recorded as no.

Senator Paul is recorded as no.

Senator Menendez recorded as no.

So, with that, we will move to the Senate bill 704, European energy security bill.

We have a substitute amendment on this. I would like to get that adopted first.

Is there a motion?

SENATOR MURPHY. We have a first-degree amendment on this.

THE CHAIRMAN. Well, there is a substitute first, Senator. Then we will move to -- then we will move amendments.

Is there a motion?

SENATOR MENENDEZ. So move.

THE CHAIRMAN. It has been moved. Is there a second?

SENATOR CARDIN. Second.

THE CHAIRMAN. It has been moved and seconded that the substitute amendment be adopted.

All those in favor, signify by saying aye.

[A chorus of ayes.]

THE CHAIRMAN. Opposed, nay.

[No response.]

THE CHAIRMAN. The ayes have it. We now have before us substitute amendment 704. Are there amendments?

SENATOR MURPHY. Mr. Chairman?

THE CHAIRMAN. Senator Murphy?

SENATOR MURPHY. Mr. Chairman, I do have a revised first-degree amendment. Let me just thank all of my co-signers and particularly Senator Johnson and Senator Rubio, Senator Gardner, Senator Cardin, and Senator Shaheen.

This is a piece of legislation that seeks to redress what has been an asymmetry in the way in which we try to combat Russia's attempts to curry favor in the region with its oil and gas. It is just, I think, a complement in many ways to Senator Barrasso's legislation, which I am glad passed.

This would set up a capacity inside the new Development Finance Corporation to finance projects in and around Russian peripheries that would make those nations energy independent of Russia. This is energy resource nonspecific, and so it would allow the Development Finance Corporation, in consultation with the Department of State, to make decisions about which projects would merit this kind of financing. Projects done in Europe would be done in consultation with Europe's priority list of projects that they are planning to put money into as well.

And I think that this, frankly, is the best way ultimately to hurt Putin. Perhaps if we are able to help make countries truly energy independent of Russia's energy largesse, then it effectuates so many U.S. national security goals in the region. I support

Senator Barrasso's bill specific to LNG. This would allow the United States to finance a much larger scope of projects in the region.

Again, I thank Senator Johnson for his work. I have a clarifying amendment to the manager's package, Murphy first-degree revised, that I ask be adopted.

THE CHAIRMAN. Is there a motion to adopt?

SENATOR MENENDEZ. So move.

SENATOR MURPHY. Second.

THE CHAIRMAN. It has been moved and seconded. All those in favor, signify by saying aye.

[A chorus of ayes.]

THE CHAIRMAN. Opposed, nay.

[No response.]

THE CHAIRMAN. The ayes have it. Is there further --

SENATOR MENENDEZ. Move to adopt the legislation.

THE CHAIRMAN. It has been moved --

SENATOR MURPHY. Second.

THE CHAIRMAN. -- and seconded that we favorably adopt Senate bill 704, substitute amendment revised for Murphy's amendment.

All those in favor, signify by saying aye.

[A chorus of ayes.]

SENATOR BARRASSO. Mr. Chairman, just before we do that.

THE CHAIRMAN. Yes.

SENATOR BARRASSO. I just wanted to thank Senator Murphy for his leadership on this. Thanks for working with me and my team. It was a very cooperative effort. Appreciate what you are doing.

THE CHAIRMAN. Thank you, Senator.

All those in favor, signify --

SENATOR MERKLEY. I think we are under discussion of the proposal at the moment?

THE CHAIRMAN. Oh, if you wish to do so, please do so.

SENATOR MERKLEY. Stand by, I think Senator Markey is en route, I am told, to present his amendment. I am happy to present my amendment while we are waiting for him. If he arrives, I will defer.

THE CHAIRMAN. All right. Well, let us take Merkley then, Merkley 1.

SENATOR MERKLEY. Okay. So I strongly like the spirit behind this, but I have to again raise the issue we should not be encouraging the additional use of fossil fuels. As you have all heard me note, in our lifetime -- in my lifetime, for those of you who are

my age or older -- we have increased the carbon dioxide in the air by more than 33 percent. It is affecting us in every possible way.

So my amendment notes that, yes, let us do exactly what this bill proposes, but let us encourage it to be non-fossil fuel expansion of energy. That is my amendment. That is all I need to say about it.

THE CHAIRMAN. Further debate? Senator Murphy?

SENATOR MURPHY. I certainly appreciate the spirit in which the Senator offers his amendment. I would oppose it. We have crafted language in this bill that, frankly, reflects previous legislation passed by this committee investing in energy security. This language mirrors that which was in the Power Africa Act.

And as I noted in my opening statement, I share the same concern as Senator Merkley and Senator Markey do about trying to make sure that we are financing projects that are, indeed, confronting the crisis of climate change. But I do note that in several parts of this bill, we prioritize projects that are part of the EU's strategic investment plan. And the EU is, of course, prioritizing projects that are combatting climate change.

So I think in the underlying language, we give the kind of preference that Senator Merkley is looking for. I do not think that this amendment, nor Senator Markey's amendment, if he should offer it, is necessary.

THE CHAIRMAN. Further debate?

[No response.]

THE CHAIRMAN. There being no further debate, Senator Merkley has moved to adopt his amendment. Is there a second to that?

SENATOR KAINE. Second.

THE CHAIRMAN. It has been moved and seconded to adopt Senator Merkley's amendment.

We will have a roll call vote, if that is all right with everyone, and the clerk will call the roll.

THE CLERK. Mr. Rubio?

SENATOR RUBIO. No.

THE CLERK. Mr. Johnson?

THE CHAIRMAN. No, by proxy.

THE CLERK. Mr. Gardner?

SENATOR GARDNER. No.

THE CLERK. Mr. Romney?

SENATOR ROMNEY. No.

THE CLERK. Mr. Graham?

THE CHAIRMAN. No, by proxy.

THE CLERK. Mr. Isakson?

SENATOR ISAKSON. No.

THE CLERK. Mr. Barrasso?

THE CHAIRMAN. No, by proxy.

THE CLERK. Mr. Portman?

THE CHAIRMAN. No, by proxy.

THE CLERK. Mr. Paul?

THE CHAIRMAN. No, by proxy.

THE CLERK. Mr. Young?

SENATOR YOUNG. No.

THE CLERK. Mr. Cruz?

SENATOR CRUZ. No.

THE CLERK. Mr. Menendez?

SENATOR MENENDEZ. No.

THE CLERK. Mr. Cardin?

SENATOR MENENDEZ. Aye, by proxy.

THE CLERK. Mrs. Shaheen?

SENATOR SHAHEEN. No.

THE CLERK. Mr. Coons?

SENATOR MENENDEZ. Aye, by proxy.

THE CLERK. Mr. Udall?

SENATOR MENENDEZ. Aye, by proxy.

THE CLERK. Mr. Murphy?

SENATOR MURPHY. No.

THE CLERK. Mr. Kaine?

SENATOR KAINÉ. No.

THE CLERK. Mr. Markey?

SENATOR MENENDEZ. Aye, by proxy.

THE CLERK. Mr. Merkley?

SENATOR MERKLEY. Aye.

THE CLERK. Mr. Booker?

SENATOR MENENDEZ. Aye, by proxy.

THE CLERK. Mr. Chairman?

THE CHAIRMAN. No.

THE CLERK. Mr. Chairman, the yeas are 6; the nays are 16.

THE CHAIRMAN. The amendment has failed.

We will now take up the Markey amendment. Senator Markey is here. Senator Markey? What is the preference?

SENATOR MENENDEZ. Mr. Chairman, in deference to Senator Markey, I will move his amendment, and I will, just for members' purposes, provide the essence of why he seeks to do this.

This amendment removed a reference to fossil fuels from a line about projects eligible for assistance under the bill and instead inserts "prioritization for renewable energy." That change does not prevent assistance for being used for fossil fuels, and that is the purpose of Senator Markey's amendment. And I move his first-degree amendment.

THE CHAIRMAN. Is there a second?

SENATOR KAINE. Second.

THE CHAIRMAN. It has been moved and seconded that Markey 1 be adopted.
Senator Murphy?

SENATOR MURPHY. Thank you.

Again, I object to this amendment on the same grounds. I think the underlying language achieves that prioritization. By deferring and including a reference to European entity prioritization, we are inevitably going to be in the business of funding projects that lean towards renewables and away from fossil fuels. And given that the underlying goal here is really a national security goal, to try to break Russia's energy grip on its periphery, I think having some degree of flexibility here is important.

So this, and I imagine this one winds up very much like the other one.

SENATOR KAINE. Mr. Chair?

THE CHAIRMAN. Senator Kaine?

SENATOR KAINE. Could I ask the sponsor a question? To the sponsor of the bill, Senator Murphy, my understanding, as I look at the two amendments is that the Merkley amendment that we just voted on would restrict assistance only to non-fossil fuel projects, but the Markey amendment does not include that restriction and just expresses a preference or a prioritization for non-fossil. Am I reading the two correctly?

SENATOR MURPHY. I think that you are reading them right there. There is certainly a difference between two.

Again, I believe that that prioritization is already included in the underlying legislation because of the specific references that we have built into financing projects that have been already prioritized by the EU.

The EU, in their own energy financing goals, clearly state that renewables and projects that will reduce global warming emissions meet their criteria. So, again, I think that we have done the work of this prioritization in the underlying bill.

Thank you, Mr. Chairman.

THE CHAIRMAN. Senator Shaheen?

SENATOR SHAHEEN. Well, I am a sponsor of the bill, and so I certainly support it,

and I appreciate Senator Murphy's leadership. But I guess my question is putting this language in is not going to affect the underlying language that is already in there. What it will do is just reaffirm that we ought to be prioritizing non-fossil fuel energy.

SENATOR MURPHY. So this bill has taken a long time to get this committee. It is a carefully constructed compromise between the sponsors of the legislation, and you could probably guess where my sentiments would ultimately lie. But in the interest of getting this bill through this committee and getting it through the Senate and pass the House of Representatives and onto the President's desk, I am going to oppose this amendment because I believe very legitimately that the goals of this amendment are addressed in the underlying statute to try to hold together the carefully drafted compromise. I am going to oppose it.

THE CHAIRMAN. Senator Merkley?

SENATOR MERKLEY. Mr. Chair, we have just had a significant debate over the fact that Europe is quite interested in fossil fuels, including building the Nord Stream 2 pipeline as a supply. There are a whole series of fossil fuel projects under way.

And so I think that this amendment that my colleague has put forward -- did you know you were speaking when you were outside?

VOICE. You were very intelligent.

SENATOR MERKLEY. And you were spoken for by the ranking member. I think

this is very consistent with the underlying bill. If, indeed, that is the case, as my colleague has stated, then let us make it explicit.

THE CHAIRMAN. Thank you, Senator.

Senator Markey, your position has been ably represented. The vote may not reflect that, but I can tell you --

[Laughter.]

SENATOR MARKEY. I thank you, and I will speak briefly. And that is that, obviously, you know, fossil fuels, that construction has been the default position of the world, and we are in a climate crisis. We can see what is happening. In terms of the increase in greenhouse gases across the planet, the evidence is overwhelming that the harm is growing as each day goes by.

Amongst other things, 90 percent of all children on the planet are exposed to particulate matter that is unhealthy on a daily basis, 90 percent of all children. So it does call for us to move to prioritize renewable energy, to prioritize it. Say that should be the goal, to move in that direction because this is a global problem.

And if the U.S. is going to be involved, we should be saying that where it is possible that should be the preference. So that is the objective here is just to state that clearly because of a couple of health consequences, especially for the children on the planet. It is just unsustainable long term to have children, close to 90 percent of

children be exposed to unhealthy levels of particulate matter on a daily basis.

And this is a global committee, and that should be the objective. So thank you, and I thank the Senator from Oregon.

THE CHAIRMAN. Well, thank Senator Menendez. He took up the baton while you were gone.

So, with that, will you accept a voice vote, or do you want a roll call vote? It is up to you entirely.

SENATOR MARKEY. Yes, I would accept a voice vote on this.

THE CHAIRMAN. Okay. All those in favor of Senate bill 704 -- Excuse me. The Markey amendment.

All those in favor of the Markey amendment, signify by saying aye.

[A chorus of ayes.]

THE CHAIRMAN. Opposed, nay.

[A chorus of nays.]

[Laughter.]

THE CHAIRMAN. Let us have a roll call and be done with this. Okay. The clerk will call the roll.

THE CLERK. Mr. Rubio?

SENATOR RUBIO. No.

THE CLERK. Mr. Johnson?

THE CHAIRMAN. No, by proxy.

THE CLERK. Mr. Gardner?

SENATOR GARDNER. No.

THE CLERK. Mr. Romney?

SENATOR ROMNEY. No.

THE CLERK. Mr. Graham?

THE CHAIRMAN. No, by proxy.

THE CLERK. Mr. Isakson?

THE CHAIRMAN. No, by proxy.

THE CLERK. Mr. Barrasso?

SENATOR BARRASSO. No.

THE CLERK. Mr. Portman?

THE CHAIRMAN. No, by proxy.

THE CLERK. Mr. Paul?

THE CHAIRMAN. No, by proxy.

THE CLERK. Mr. Young?

SENATOR YOUNG. No.

THE CLERK. Mr. Cruz?

THE CHAIRMAN. No, by proxy.

THE CLERK. Mr. Menendez?

SENATOR MENENDEZ. Aye.

THE CLERK. Mr. Cardin?

SENATOR MENENDEZ. Aye, by proxy.

THE CLERK. Mrs. Shaheen?

SENATOR SHAHEEN. No.

THE CLERK. Mr. Coons?

SENATOR MENENDEZ. Aye, by proxy.

THE CLERK. Mr. Udall?

SENATOR MENENDEZ. Aye, by proxy.

THE CLERK. Mr. Murphy?

SENATOR MURPHY. No.

THE CLERK. Mr. Kaine?

SENATOR KAINE. Aye.

THE CLERK. Mr. Markey?

SENATOR MARKEY. Aye.

THE CLERK. Mr. Merkley?

SENATOR MERKLEY. Aye.

THE CLERK. Mr. Booker?

SENATOR MENENDEZ. Aye, by proxy.

THE CLERK. Mr. Chairman?

THE CHAIRMAN. No.

THE CLERK. Mr. Chairman, the yeas are 8; the noes are 14.

THE CHAIRMAN. The Markey amendment has failed to be adopted.

We will now vote on the bill itself. Senate bill 704, substitute amendment.

All those in favor, signify by saying aye.

[A chorus of ayes.]

THE CHAIRMAN. Opposed, nay.

SENATOR MERKLEY. Nay.

THE CHAIRMAN. Do you want to be recorded?

SENATOR MERKLEY. Yes.

THE CHAIRMAN. Senator Merkley will be recorded as no.

The bill is passed and will be sent out with affirmative recommendation.

We now have before us Senate bill number 1189. Is there a motion to adopt the bill?

Excuse me. Manager's amendment. We have a manager's amendment to Senate bill 1189.

SENATOR MENENDEZ. Move the manager's amendment.

THE CHAIRMAN. Moved. Is there a second?

SENATOR MURPHY. Second.

THE CHAIRMAN. It has been moved and seconded that the manager's amendment to Senate 1189 be adopted.

All those in favor, signify by saying aye.

[A chorus of ayes.]

THE CHAIRMAN. Opposed, nay.

[No response.]

THE CHAIRMAN. The ayes have it. I guess we will not need -- all right, final passage.

SENATOR MENENDEZ. So move.

SENATOR MURPHY. Second.

THE CHAIRMAN. It has been moved and seconded, the final passage of Senate bill 1189. Is there debate?

[No response.]

THE CHAIRMAN. There being none, all in favor, signify by saying aye.

[A chorus of ayes.]

THE CHAIRMAN. Opposed, nay.

[No response.]

THE CHAIRMAN. The ayes have it. Senate bill 1189 will be moved to the floor with affirmative recommendation.

Senate Joint Resolution number 4, we have a substitute amendment to start with. Let us adopt that.

SENATOR Kaine. So move.

THE CHAIRMAN. Moved.

SENATOR MENENDEZ. Second.

THE CHAIRMAN. Seconded.

All those in favor of the substitute amendment, signify by saying aye.

[A chorus of ayes.]

THE CHAIRMAN. Opposed, nay.

[No response.]

THE CHAIRMAN. The ayes have it. We will now --

SENATOR Kaine. May I speak to S.J. Res. 4?

THE CHAIRMAN. Please, yes.

SENATOR Kaine. So President Trump has made some comments about whether the United States should get out of NATO. Questioning the value of NATO is something we should always analyze. Questioning the work plan of NATO we should

always analyze it. Encouraging others to contribute more, we should. And the President has had some success in that regard, and that is good.

But statements that we should get out of NATO are causing deep worry to our allies. Recently, French President Macron talked about NATO being afraid that because of the message that is being sent, those statements. And they also are very empowering of Russia.

It is interesting. In this group of bills that we have gone through how many are bills that refer to NATO or are about NATO are driven by a concern about Russia. But the President has exposed an ambiguity that I think we should resolve, and that is the Constitution says that treaties are entered into by a two-thirds ratification of advice and consent vote in the Senate.

The Constitution is silent about how a treaty can be withdrawn from. And so there is an ambiguity. And the President or any President -- this President or any President -- might believe you could withdraw from NATO without going back to the Senate that ratified the treaty.

The law is clear that when the Constitution is silent and there is an ambiguity, Congress can act to clear up the ambiguity. There is nothing in the Constitution that would prohibit us from clearing the ambiguity.

And so what this bill would do and has sort of done specifically on the 70th

anniversary year would clarify that NATO, being a Senate treaty, cannot be withdrawn from unilaterally by a President and that withdrawal would require either the advice and consent of the Senate with two-thirds vote or an act of Congress where you put it through each House, subject to the President's veto.

So that is what the bill would do. It would send a very strong message to our NATO allies. It would send a very strong message to Russia that we believe this alliance has value and will have value for decades to come.

Two thank yous. I want to thank the chair because you committed that you would do this markup, and your staff has worked well with us to make the amendment that we just made by substitute to clarify some points. That was helpful.

And I also want to thank Senators Gardner, Graham, Rubio, Reed, Blumenthal, Coons, Collins, Durbin, Feinstein, Jones, Moran, and Sullivan, who have all cosponsored the bill.

Thank you, Mr. Chairman.

THE CHAIRMAN. Thank you. Is there further debate?

SENATOR MENENDEZ. Mr. Chairman, I ask to be added as a cosponsor.

THE CHAIRMAN. With no objection, it will be done.

SENATOR SHAHEEN. Mr. Chairman, I would also like to be added.

THE CHAIRMAN. Likewise. Further debate?

SENATOR MENENDEZ. Move the resolution.

THE CHAIRMAN. Is there a second?

VOICE. Second.

THE CHAIRMAN. It has been moved and seconded that the resolution be adopted.

All those in favor, signify by saying aye.

[A chorus of ayes.]

THE CHAIRMAN. Opposed, nay.

[No response.]

THE CHAIRMAN. The ayes have it. S.J. Res. 4 has been positively adopted.

So --

SENATOR MURPHY. Mr. Chairman?

THE CHAIRMAN. Oh, Senator Cruz will be added as cosponsor to Senate bill 2547.

Senator Murphy?

SENATOR MURPHY. Mr. Chairman, we moved a little fast there. Can I just be recorded as a no on the Senate bill 1189?

THE CHAIRMAN. You will be. Thank you.

Is there further matters to come before the committee?

[No response.]

THE CHAIRMAN. If not, that completes the committee's business.

Thank you to all of you who sat through this. We did a tremendous amount of business this morning.

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

[Gavel sounding.]

THE CHAIRMAN. Senator Shaheen has the floor.

SENATOR SHAHEEN. Mr. Chairman, before we leave, I would urge both you and the ranking member to speak to Senate leadership about allowing this package of bills to come to the floor. I know that people on both sides of the aisle are frustrated with the current legislative situation that we have, and I would hope that after all this work in the committee and all the work by individual members that we would actually be allowed to address these bills in the full Senate and try and get them done.

THE CHAIRMAN. Well said, Senator Shaheen. That is a work in progress already.

So, with that, I ask unanimous consent that the staff be authorized to make technical and conforming changes. Without objection is so ordered.

And with that, the committee is adjourned.

[Whereupon, at 11:35 a.m., the hearing was adjourned.]