

BUSINESS MEETING

Thursday, June 9, 2022

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

The committee met, pursuant to notice, at 9:38 a.m., in Room S-116, Dirksen Senate Office Building, Hon. Robert Menendez presiding.

Present: Senators Menendez [presiding], Cardin, Shaheen, Coons, Murphy, Kaine, Markey, Merkley, Booker, Schatz, Van Hollen, Risch, Johnson, Romney, Portman, Cruz, and Rounds.

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

The Chairman: This business meeting of the Senate Foreign Relations Committee will come to order.

Today, we are considering a number of nominations, bills, and resolutions. All of the legislative items were on the business meeting agenda scheduled for May 26th. Regretfully, there was a holdover request for every item, which the chair honored at that time.

As I have said before to members of the committee and feel compelled to do so again, holdover requests are not and were never intended to be used in such a comprehensive fashion.

These requests have historically been a courtesy to a senator who sought additional time to consider a specific matter, not to delay the entire business of the committee.

I will just publicly say I am not inclined to observe a holdover of the entire agenda in the future regardless of who asks for it.

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Turning to today's agenda, first, to nominations, I am pleased that we are considering eight nominations and two FSO lists. There was a holdover request for two nominees, Frank Mora and Reuben Brigety, which the chair will honor.

In the interest of time, I am not going to speak on all of them individually, just simply note they are well qualified and should be confirmed quickly.

On Elizabeth Richard, I entered a number of letters of support into the record highlighting her extensive experience as Service Coordinator for Counterterrorism.

Without objection, I would like to submit one more letter for the record from General Joseph Votel, former commander of CENTCOM.

[The information referred to above can be found at the end of this transcript.]

The Chairman: I will reiterate what we all know. It is a disservice to our national security if we do not fulfill our duty and confirm qualified individuals to represent the United States on the global stage. I urge all of our colleagues to support these nominations today and work towards their swift confirmation. We also have votes on eight bills and nine resolutions. I will highlight just a few.

S. 4171, first, the International Trafficking Victims Protection and Reauthorization Act.

We all know that human trafficking remains a horrific reality for millions of women, men, and children around the world. Traffickers seize any opportunity to exploit people in desperate circumstances, particularly victims of war and conflict.

As we speak, thousands of Ukrainian women and children who have fled Putin's brutal invasion are at peril of being preyed upon. There is an urgent need to pass this bill and increase protections for victims of human trafficking and to prevent millions more from falling into the hands of traffickers.

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I want to thank the ranking member for his work on the bill and am pleased that he is the lead co-sponsor. Without objection, I would also like to add Senator Coons as an original co-sponsor of the bill.

I would like to thank, on S. 1160, Senators Shaheen and Portman for their efforts on the Fentanyl Results Act. As the opioid epidemic continues devastating our communities and taking lives, this bill is an important step in addressing this challenge.

It provides additional tools, strengthens the capacity of our law enforcement agencies, and prioritizes efforts to address the synthetic drug crisis in our country.

S. Res. 568, Supporting the Goals and Ideals of Countering International Parental Abduction Month, is a bipartisan resolution by Senators Feinstein and Tillis, which, I believe, as the author of the 2014 Sean and David Goldman International Child Abduction Prevention and Return Act, supports all efforts to focus the attention on this heartbreaking issue.

Finally, I want to recognize three pieces of legislation related to Ukraine: S. Res. 638, introduced by Senator Shaheen, to honor the immense sacrifices and horrors incurred by the women of Ukraine; H.R. 7276, the Ukraine Invasion War Crimes Deterrence and Accountability Act, which will provide critical information on U.S. efforts to collect evidence and information related to war crimes and other atrocities committed by Russia in Ukraine; and S. Res. 638, a resolution I introduced to commend the people of Moldova for their inspiring efforts to welcome Ukrainian refugees.

Finally, I will reiterate my view that the committee is at its best and most relevant when we are legislating on the important issues of our time and we need to be doing more on the legislative front.

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I know there is a significant demand among many of you to do so and I have heard from you. I am aware of 15 or so strong bipartisan bills that are, basically, ready for committee consideration.

The ranking member has a list and he is aware of my efforts to get another markup on the books in short order, and I hope we can do so, so that we can move a lot of very good legislation that is supported in a bipartisan fashion.

With that, let me turn to the ranking member for his remarks.

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

Senator Risch: Thank you, Mr. Chairman. And, first of all, I am glad to see this robust agenda here today and I will continue to work with you and get, hopefully, another robust agenda on legislative items.

I would like to thank the chairman, Senators Shaheen, Johnson, Cardin, Coons as well as Leader Schumer and Minority Leader McConnell for joining me in introducing Senate Res. 646 expressing our support for Finland and Sweden's accession into NATO.

I expect this committee will take up these protocols in the coming weeks and I strongly urge the administration to act as quickly as possible.

Today we will also consider Senate Bill 3861, the Somaliland Partnership Act, which requires additional reporting on the assistance provided to Somaliland and assesses the feasibility of establishing a security partnership with that region. I would like to thank Senator Rounds and Senator Van Hollen for joining me in this effort.

And, finally, we have a robust list of appointments that always engender considerable debate. I would like to suggest, and only suggest, that we take up the legislative package first, pass that, then move to the other and do what we do to try to

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get a vote on the whole package. And if somebody wants to pull one off, we have a debate on one and everybody get the chance to record their noes if that is agreeable with the chairman. It is just a suggestion.

The Chairman: Okay.

I appreciate that. Let us start off by -- I was going to seek to move the entire agenda en bloc and then, of course, subject to any amendments, comments, or if someone wants a specific roll call vote, and then we will recognize individuals for comments.

So, let me entertain a motion that we consider en bloc the entire agenda that we have noticed for this business meeting -- all of the bills, resolutions, nominations, and FSO lists with the exception of Ambassador Brigety and Mr. Mora, who have been asked to be held over.

Is there a motion to that effect?

Senator Cardin: So moved.

The Chairman: So moved. Is there a second?

Senator Kaine: Second.

Senator Shaheen: Second.

The Chairman: Second? Okay. A motion has been made to second.

Let me recognize Senator Cardin.

Senator Cardin: Just so I understand, I know that, for example, in regards to S. 1160 we have an agreed-to amendment, and I want to thank Senators Shaheen and Portman for their work and recognize Senators Hagerty and Cornyn for their incredible amount of work they did in precursor drugs also being included. There was a lot of work done on that and I really want to congratulate everyone involved with working that out.

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Mr. Chairman, am I correct that that amendment is incorporated in your motion or do we have to take it up separately to offer that amendment?

The Chairman: It is incorporated.

Senator Cardin: Thank you. I appreciate that.

Let me just say I am very pleased we are passing the Roma resolution. It is the first one this committee has done.

And lastly, I have noted an amendment in regards to the Combating Global Corruption Act to the reauthorization of the Trafficking Victims Act. I am not offering that amendment but it is just my sense that we need action on this.

Senator Young and I introduced this bill, acted on by this committee a year ago. I know we have work to do in the House and the full Senate, and I look forward to working with you to see that bill reach the finish line.

The Chairman: Thank you.

Any other members seeking recognition?

Senator Shaheen: Yes.

The Chairman: Senator Shaheen?

Senator Shaheen: Thank you.

First, on the Fentanyl Results Act, I had the opportunity yesterday to hear from Anne Milgram, who I am sure the chairman knows very well. She is the former Attorney General of New Jersey who is now head of the Drug Enforcement Agency, and she was speaking to a group of business people and one of the things she was talking about was the fentanyl challenge that we have in this country.

It is a huge problem in New Hampshire. And she gave an example that I thought was really relevant for our thinking about this drug. She said she tries to gather her nieces, nephews, young people, and she holds in her hand about 12 to 15

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grains of salt and she points out to them that those 12 to 15 grains of salt are deadly when it is fentanyl. That is all it takes.

So, this legislation is really important, all the work that was done by everyone involved, and I hope that we will support it and look for other ways we can reduce the trafficking of fentanyl.

I also wanted to speak to S. Res. 540, which is the resolution supporting the goals of International Women's Day, and S. Res. 589, which the chairman mentioned, around the women of Ukraine.

I think both of these are particularly relevant this year because this has been a really devastating year for women around the world. As we look at Afghanistan and what is happening in Afghanistan, it is women who are bearing the brunt of the Taliban.

It is women and children across the world who are most affected by hunger as we look at the challenges that the world is facing with hunger. And, of course, in Ukraine, it is women and children who have been most affected in terms of being disrupted from their homes and now are facing other challenges around trafficking.

I think these resolutions are really important and they really do make a difference for women around the world and for people in other countries when they see that we have taken action.

I think we should all recognize the importance of what we are doing here today.

Thank you.

The Chairman: Thank you. Well said.

Any other members seeking recognition?

Senator Johnson?

Senator Johnson: Mr. Chairman, is this the time to offer amendments?

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The Chairman: Yes.

Senator Johnson: First of all, I want to thank you for the hearing yesterday. I was not able to attend the hearing but I watched it on WebEx and I thought the testimony of the Gravedigger was -- what is the right word -- compelling.

I hope you distribute that broadly and I hope more members here will see it. I hope more Americans do as well.

But I would like to offer an amendment to H.R. 6089, the Stop Iranian Drones Act. My amendment will simply add two new subsections to CAATSA Section 107. The first would deem any agreement by the president of Iran related to Iran's nuclear program a treaty subject to the advice and consent of the Senate.

The second subsection would bar the President from waiving, suspending, or otherwise limiting the application of any existing sanctions on Iran as part of any nuclear agreement with Iran.

I offered an amendment during the JCPOA to our -- the legislation we passed through the Senate to deem that agreement a treaty. I think, in hindsight, I hope people would agree with me that, had the Obama Administration been forced to submit an agreement to the Senate as a treaty, A, it would have been a more effective agreement, and B, it probably would have been more difficult to withdraw from the agreement and maybe Iran would not be in the place it would be.

I think the Senate has abdicated so much of its responsibility by not insisting on these incredibly important agreements. Again, I looked through the State Department's guidelines on this and it is pretty convoluted in terms of exactly what the rules are whether something is an agreement or a treaty.

But something this momentous, something this important, as these agreements that -- trying to keep Iran from becoming a nuclear power, which would be so

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unbelievably disruptive to world peace -- certainly should rise to the level of a treaty and subject to ratification in the sense of advice and consent.

I would urge all my colleagues to support this amendment, which would, again, require any agreement this administration enters into with Iran to become a treaty and be ratified by the Senate.

The Chairman: Any other members seeking recognition?

Senator Kaine?

Senator Kaine: Mr. Chair, I want to speak to Senator Johnson's amendment but, more broadly, to other amendments that could be offered on the same bill, 6089.

I worked with many of my colleagues around this table to come up with the INARA review that President Obama did not like. He said he was going to veto it until the votes of the Senate were so overwhelming that he could not.

There was an original intent to do a JCPOA that would not be submitted to Congress for review, but this committee acted in a bipartisan way to require that it be submitted.

I continue to believe that that is the right standard for congressional review, should the Biden Administration find a JCPOA that they think is worthy or something they think is worth entering into.

And so, I am going to vote against a number of the amendments. Actually, I think the underlying bill is a good bill. I am going to vote for the bill. But I am going to vote against a number of amendments that I think are, basically, trying to sort of change the standard of congressional review or put obstacles in the way of the Biden Administration, which is trying to reach an agreement.

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I recognize there is significant difference around the table about whether the Biden Administration should even reach an agreement or not, or, if so, what the agreement should contain.

But INARA is still on the books and the Biden Administration said they are going to bring any deal they reach back to us under the INARA provision and I think that is the right standard.

I am going to be opposing a number of the amendments. I recognize my colleague, Senator Johnson, has been very consistent about this. He has never changed his position since we had this conversation back in 2015 and I appreciate that consistency.

But I think INARA sets the right standard and so for that reason I am going to oppose a number of the amendments to 6089.

The Chairman: Any other members seeking recognition?

Senator Cruz?

Senator Cruz: I would be curious to ask my friend from Virginia. I know he thinks about these issues hard and carefully.

You are right. INARA had a vote, but it also reversed the presumption. We had a vote. We had a bipartisan majority in the Senate that voted against the Iran deal. But under INARA it still went into effect.

So, the vote, I guess, made us feel good but did not stop the agreement, and I would just be curious -- look, I recognize now there is a Democratic president so Democratic senators are happier with the sorts of agreements he would enter into.

With a Republican president, I suspect you would be less happy with the sorts of agreements he would enter into. I would be curious what the senator from Virginia thinks the treaty standard should be because under INARA there is not a two-thirds

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ratification and under the treaty powers if it does not get ratified it does not go into effect.

INARA flips that entirely and says the president can implement it even if, as was the case last time, a bipartisan majority of the Senate opposes.

I know you have thought carefully about it so I would just be interested in your thoughts of when something should not be a treaty and when it is not.

Senator Kaine: As to expand upon a topic that is so challenging, I am not going to give an answer on that question that is going to be satisfactory to anybody, including me.

I think the difference between what is an executive agreement and what is a treaty is really murky when we have had executive agreements in the international space since George Washington was president that were not submitted under the treaty clause of the Constitution to the Senate for ratification.

It is a complex matter. The way INARA came together was sort of thinking that presidents do have powers to conduct diplomacy, short of treaties, and it is a clear Article 2 power contemplated by the Framers, and that all presidents have carried out. Presidents do a lot of things that do not come back to the Senate for a treaty vote.

The INARA structure, basically, said this -- and I would support the structure whether the President was a Democrat or a Republican -- that in this particular instance dealing with Iran, if the President proposed to take actions either with respect to executive sanctions that he could impose or sanctions that were imposed pursuant to U.N. rules, the President should have the ability to do that. That is executive.

But as soon as the President touches sanctions packages that are put together by Congress, that a president being able to use a waiver power or something to end run the congressional sanctions, we should not allow that. And we did it, and INARA

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set up a standard that as soon as the President touches any congressional sanctions that has to come back to Congress.

The question would be, okay, it comes back to Congress and what should the rule be? Should the rule be you need congressional approval or should the rule be you can act unless there is congressional discipline?

And so what INARA did is set up sort of like an -- almost like fast track on trade deals. You are guaranteed a vote up or down on what the President is doing and so you get that and you get it in a timely fashion. So, Congress cannot just kind of run out the clock.

A president must submit it and Congress must act. But we felt like the right balance at the time between the Article 1 and 2 powers is if the President touches anything Congress did the President has to submit it to Congress. But the President can then go forward and do it unless there is congressional disapproval.

So, you are right. I do not know there was a flip of the presumption because I am not sure there was a preexisting presumption before we crafted INARA.

But you are right. You read it the right way. A president can act, subject to disapproval, with a guarantee that there will be an up or down vote in a reasonable period of time.

The Chairman: Senator Cardin?

Senator Cardin: I just really wanted to reinforce what Senator Kaine is saying.

Let us take it back to when we considered INARA because I was directly involved in this, and there was real division in the Senate at that time as to how we were going to respond to the President negotiating in regards to a nuclear agreement.

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And as a result of us coming together with the INARA statute -- and by the way, I believe it passed near unanimous. I mean, it was unanimous or one or two votes against it. It was pretty well a consensus bill in the United States Senate.

It required the administration to work with us, and although we may have differed on the final vote I voted against it. All of us were engaged with the administration at every step of the way in getting the information.

We had briefings on a regular basis. The agreement was changed as a result of congressional consultation. We got a stronger agreement. It was one in which there was a speed bump in it.

They could not immediately implement it. They had to come to Congress. There was a period of time the Congress had to review it. There were a lot of procedures put into it as an accommodation to a meaningful congressional role in the process.

And as Senator Kaine has pointed out, the administration has already acknowledged that they are going to have to come back to us under INARA if, in fact, they reach an agreement with Iran to go back into the JCPOA.

So, we are going to have those speed bumps again. We are going to have those consultations again. We are having these consultations now because there is a congressional role.

I understand the frustration on which we would like to do treaties. I do not think this was an appropriate issue for a treaty under any circumstance. But I will point this out.

It is frustrating to many of us that the standard for us trying to get a treaty done in the United States Senate on a substantive issue it is almost impossible to get the two-thirds vote that you need for a treaty, and I would just argue that if we are

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going to be able to exercise our treaty responsibilities then we are going to also have to have a way in which we can come together with any administration, a Republican or Democratic administration, to give them confidence.

Look at the disability treaty that we could not get ratified, which was, I thought, not controversial at all. We've got to be able to give confidence to any administration that they can go down the treaty path and the Congress will be receptive to working with them to ratify a treaty.

I am sympathetic to what Senator Johnson is trying to do. I do not think this was an appropriate area for a treaty in the first place. But I just wanted to give a little bit of history here. There were close working relations between this committee and the Obama administration.

And you are absolutely right, Senator Kaine, President Obama was very much opposed to this bill from the beginning and several of his advisers urged him not to support it at the end and we still went ahead and we got the -- you are right, the vote in the Senate, I think, convinced the President to sign the bill.

I think that background is important. I thank Senator Johnson for his continued concerns on these issues but I am going to oppose your amendment.

The Chairman: Any other members seeking recognition on the amendment?

[No response.]

The Chairman: So, let me close it. I have been consistent throughout the administration's negotiations with Iran over the last year that any agreement that may be achieved must be subjected to congressional review.

And with respect to a return to the 2015 JCPOA, we already have a framework for such a review, which, basically, is INARA, and we have the administration's

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commitment on the record at our hearing that any agreement would be submitted under INARA.

Now, I think it is general knowledge that such an agreement seems to be nowhere in the offing nor does the amendment really pertain to the bill before us today. I would just make two final points.

One is President Trump entered into a series of agreements with Central American countries and Mexico, and we could have insisted that they be treaties but we did not.

So, it is not a question of whether it is a Republican or Democratic president, at the end of the day.

And the only other thing I would say -- and my friend has been very consistent, persistent, as he should be on this issue -- is that I do not think we can change the constitutional order and just simply declare that something -- that we are treating something as a treaty.

That is not the nature of how treaties are brought before the Senate. While in this instance it may be appealing, I do not know that we want to bind in the future -- to create the dynamics in which we declare what is a treaty versus the executive branch sending a treaty to Congress, and then the advice and consent process begins.

For all of those reasons I am going to be voting no.

Does the senator want a voice vote or does he want a recorded vote?

Senator Johnson: A recorded vote, please.

The Chairman: The clerk will call the roll.

The Clerk: Mr. Cardin?

Senator Cardin: No.

The Clerk: Ms. Shaheen?

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Senator Shaheen: No.

The Clerk: Mr. Coons?

Senator Coons: No.

The Clerk: Mr. Murphy?

Senator Murphy: No.

The Clerk: Mr. Kaine?

Senator Kaine: No.

The Clerk: Mr. Markey?

Senator Markey: No.

The Clerk: Mr. Merkley?

The Chairman: No by proxy.

The Clerk: Mr. Booker?

Senator Booker: No.

The Clerk: Mr. Schatz?

Senator Schatz: No.

The Clerk: Mr. Van Hollen?

Senator Van Hollen: No.

The Clerk: Mr. Risch?

Senator Risch: Aye.

The Clerk: Mr. Rubio?

Senator Risch: Aye by proxy.

The Clerk: Mr. Johnson?

Senator Johnson: Aye.

The Clerk: Mr. Romney?

Senator Romney: No.

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The Clerk: Mr. Portman?

Senator Portman: Aye.

The Clerk: Mr. Paul?

Senator Risch: No by proxy.

The Clerk: Mr. Young?

Senator Risch: Aye by proxy.

The Clerk: Mr. Barrasso?

Senator Risch: Aye by proxy.

The Clerk: Mr. Cruz?

Senator Cruz: Aye.

The Clerk: Mr. Rounds?

Senator Rounds: Aye.

The Clerk: Mr. Hagerty?

Senator Risch: Aye by proxy.

The Clerk: Mr. Chairman?

The Chairman: No.

The Clerk: Mr. Chairman, the yeas are nine. The nays are 13.

The Chairman: The amendment is not agreed to.

Any other members seeking recognition?

Senator Coons: Mr. Chairman?

The Chairman: Yes.

Senator Coons?

Senator Coons: Could I just speak very briefly about the End Wildlife Trafficking Act, if that is appropriate?

The Chairman: Yes, of course.

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Senator Coons: I just briefly wanted to thank Senator Portman. We have worked well together for some time on this. This is the reauthorization and modernization of legislation Senator Flake and I initially passed in 2016. There is a Presidential Task Force on Wildlife Trafficking, something that helps with combating a serious issue of global security.

The same groups that traffic wildlife products also traffic people, narcotics, weapons. There continues to be robust and troubling demand for wildlife products in China, and it is my hope that this will ultimately be a part of the competitiveness bill currently in conference. We have made it more modern, more relevant, and I hope that my colleagues will support it.

I am also grateful, Mr. Chairman, we have got a robust agenda that includes several resolutions and a bill that I will ask to be joining as a co-sponsor. I mostly wanted to thank my colleague, Senator Portman.

The Chairman: Thank you. Any other members seeking recognition?

Senator Portman?

Senator Portman: Just briefly.

Senator Cardin said it well but just to add, we have spent two years on this and thanks to technical assistance from the State Department, from USAID and others, we also worked with the NGOs and have come up with a good bill that not just reauthorizes counsel that expired last October, but also improves in some ways to combat wildlife trafficking and to take away a source of funding for some of these transnational criminal groups who use the same funding for drugs and trafficking and other purposes.

So, I hope we get it done, and if we do I believe it has a good chance of being passed into law.

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[A statement urging bipartisan support for Fentanyl Results Act is located at the end of this transcript.]

Thank you.

The Chairman: Thank you.

Any other members seeking recognition?

Senator Cruz?

Senator Cruz: Mr. Chairman, I want to call up Cruz First Degree One on the Stop Iranian Drones Act. I think this is a good bill and I agree with the reasoning behind it.

But stopping Iranian drones means not only stopping the weapons but also stopping the people that use the weapons and use the drones to target and kill American citizens.

And what my amendment does is requires a report on Iran's use of armed drones, the weapons that were sanctioned, if they are used to attack United States citizens, and it further provides that if the President finds that an Iranian group has used the drones to attack our citizens then terrorism sanctions must be imposed on the group.

It focuses on the actors who are targeting American citizens and ensures that sanctions follow when you use armed drones to go after American citizens, and I would urge adoption of the amendment.

The Chairman: Any other member seeking recognition?

[No response.]

The Chairman: Would the senator take a voice vote?

Senator Cruz: Sure.

The Chairman: All those in favor, say aye.

All those opposed, say no.

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The ayes have it and the amendment is agreed to.

Any other member seeking recognition?

[No response.]

The Chairman: With that, the motion has been made and seconded to approve all of the items on the agenda except the two nominations that were held over, as amended.

All those in favor will say --

Senator Risch: Mr. Chairman?

The Chairman: Yes?

Senator Risch: Before we vote, we have an understanding that anyone who wants to be recorded as a no can submit their final vote.

The Chairman: Yes.

Senator Risch: Is that correct?

The Chairman: Yes.

Senator Risch: Thank you.

The Chairman: But they should do so before the close of business today.

Senator Risch: That would be fine.

Senator Murphy: Mr. Chairman?

The Chairman: Yes?

Senator Murphy: Can I just ask Senator Cruz a question about the amendment we just adopted? That went pretty quickly and I just want to clarify one aspect of his amendment.

Your amendment requires a report on individuals and entities that are engaged in attacks and then requires that those individuals and entities, if they are named, be then designated as foreign terrorist organizations.

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We currently have no individuals on the Foreign Terrorist Organization list. That makes sense, given that this is a list of foreign terrorist organizations. But am I correct in reading your amendment to say that if an individual is named in that report they would now be registered and designated as a foreign terrorist organization?

Senator Cruz: That is a good question. Let me read it and -- give me a second to answer because it is a good question. So --

Senator Murphy: I think the answer is yes and I would submit that we should not be in the business of naming individuals as FTOs. I guess I was not expecting this amendment to be added on voice vote. Now that it has, I think we need to seriously consider the precedent that we are setting.

Senator Cruz: Let me review my notes.

[Pause.]

Senator Risch: Would not the effect -- Mr. Chairman?

The Chairman: Yes?

Senator Risch: Would not the effect, if we passed it and that this actually happened, that, in essence, we are adding an additional category to the FTO rule that now we have a foreign terrorist individual because an individual, I guess, you could argue they could be an organization but more likely they are an individual?

I think we may be arguing about how many angels can dance on the head of a pin. The objective is to get somebody on the list that has done this, it seems to me.

Senator Cruz: And Omri very helpfully pointed out that we actually define a person at the end of the amendment and a person is defined as an entity, and so --

Senator Murphy: An Iranian person is defined as an entity?

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Senator Cruz: An Iranian person is defined explicitly at the end as an entity organized under the laws of Iran or otherwise subject to the jurisdiction of the government of Iran.

Senator Murphy: I think we might agree that you want to target this towards entities and so I just suggest that we make sure of that as we move forward.

Senator Cruz: Yeah. So, the amendment specifically defines it as an entity just like a corporation legally is defined as a person. A corporation is considered a person, but this is designed to target against --

Senator Kaine: If I could, Mr. Chair, a follow-up question.

The Chairman: Senator Kaine?

Senator Kaine: Just to clarify from this exchange, if I understand, Senator Cruz, the definition you just read, we would not be changing American law to only allow individuals from one country --

Senator Cruz: Correct.

Senator Kaine: -- to be designated as FTOs. The definition of person limits it to organizations so that we are not changing the FTO rule to allow just individuals from one country to be added as individuals. Is that --

Senator Murphy: Yeah. And as you read it, it sounds as if the report is supposed to list Iranian persons, but you later define it as entity. So, effectively, the report is asking for --

Senator Cruz: Correct.

Senator Murphy: -- organizations to be designated.

Okay. Thank you, Mr. Chairman.

The Chairman: Thank you.

Senator Markey: Mr. Chairman, can I be recorded --

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The Chairman: Can I just declare the vote, please, before? And I am happy to consider other --

So, the motion has been made and seconded and the -- oh, we have not done the final -- we have not had a vote on the amendment. I am sorry.

Senator Markey?

Senator Markey: Yeah. Could I be recorded no on the Cruz amendment?

The Chairman: I am sorry?

Senator Markey: Could I be recorded no on the Cruz Amendment, please?

The Chairman: Yes. Absolutely.

All right. The majority of members -- no. Okay.

We are back to the agenda as a whole.

All those in favor of the agenda as amended will say aye.

All those opposed will say no.

The ayes have it and the agenda is agreed to en bloc.

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

Without objection, so ordered.

With the thanks of the chair, the committee is adjourned.

[Whereupon, at 10:12 a.m., the hearing was adjourned.]

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LETTER IN SUPPORT OF HON. ELIZABETH RICHARD,
SUBMITTED BY GEN. JOSEPH L. VOTEL, USA (RET.)

The Honorable Robert Menendez
Chairman
U.S. Senate Committee on Foreign Relations

The Honorable James Risch
Ranking Member
U.S. Senate Committee on Foreign Relations

Senators:

I am writing after seeing the article suggesting that Ambassador Elizabeth Richard did not execute her duties as our Ambassador to Lebanon in a responsible manner.

I have known and worked closely with AMB Richard for nearly 15 years. I consider her to be among the very finest Diplomats our Nation has produced. Any suggestion that she was irresponsible regarding security flies in the face of every experience I have had with her. We worked together, not only in Lebanon, but also when she the Deputy Chief of Mission in Yemen — both locations with extraordinary security threats. On every occasion she demonstrated extraordinary skill and expertise in making decisions regarding security postures of US facilities and person. She was an extraordinary collaborator and I never any reason to think otherwise.

Our Nation needs her in position as our Department of State CT Coordinator.

Thank you.

Vr,

Joseph L. Votel
General, US Army (Retired)
Former Commander, US Special Operations Command and US Central Command

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STATEMENT OF SUPPORT FOR THE FENTANYL RESULTS ACT

Submitted by Senator Rob Portman

Thank you, Mr. Chairman, for including this bipartisan legislation in today's business meeting.

Fentanyl continues to devastate communities across the country. According to the Ohio Department of Health in 1999, there were 327 overdose deaths in my home state of Ohio. In 2021, Ohio is set to report more than 5,200. Nationwide, the numbers are just as discouraging. According to the just released data from the Centers for Disease Control and Prevention (CDC), 107,622 drug overdose deaths occurred in the U.S. last year, the largest number ever recorded in a calendar year.

The biggest culprit, by far, is the powerful synthetic opioid fentanyl, a lethal dosage of which is equivalent in size to a few grains of salt. Unfortunately, many don't even know they are taking fentanyl since it's so easy to come by.

Fentanyl seizures at the southern border increased 48 percent in April 2022 compared with April 2021 and increased more than 420 percent from April 2020. I'm proud to partner with Senator Shaheen to move the bipartisan, bicameral Fentanyl Results Act today.

This legislation will strengthen State Department data collection on synthetic drug production while increasing international law enforcement capacity. This important effort will help us save lives and mitigate the devastating effects of deadly synthetic opioids, which have impacted families and communities across Ohio and our country. I urge my colleagues to join us in supporting this important legislation and will continue to do everything I can to stop these deadly substances from destroying lives both in America and around the world.