

BUSINESS MEETING

Tuesday, July 29, 2008

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

1 The committee met, pursuant to notice, at 2:30 p.m. in Room S-116, The Capitol, Hon.

2 Joseph R. Biden, Jr., chairman of the committee, presiding.

3 PRESENT: Senators Biden [presiding], Dodd, Kerry, Feingold, Boxer, Menendez,

4 Cardin, Lugar, Hagel, Corker, Isakson, and Barrasso.

OPENING STATEMENT OF HON. JOSEPH R. BIDEN, JR., U.S. SENATOR FROM DELAWARE

5 THE CHAIRMAN: I apologize for being late. I thought I actually walked up from the
6 train station leisurely, and I'm late, and I'm sorry.

7 The—I know we don't have a quorum yet, but, with the permission of the Senator from
8 Georgia—but, maybe we can review what's going on here, if we can, and then, when we do get
9 a quorum, we may be able to move quickly.

10 Today, the committee meets to consider 50 agenda items comprised of nominations,
11 bills, and treaties. There are a large number of treaties. There are 28 agenda items listed under
12 treaties, but several of these treaties transmitted by the President have multiple instruments in
13 them, so altogether we're considering 76 treaties. These have been the subject of hearings held
14 over the last several months, and, to the best of my knowledge, they have been cleared on both
15 sides.

1 Three bills that were on the initial agenda issued last week have been held over until our
2 next meeting. These are the S. 2609, the Global Service Fellowship Program, sponsored by our
3 colleague Senator Feingold; the Security Assistance Act, an original bill that was developed by
4 me and Senator Lugar; and S. 3103, the International Space Station Payments Act. All three of
5 those bills will be held over until our next meeting.

6 We do have a nominee on today's agenda who was held over from the last meeting. She
7 is listed in the—as the last item. She's the nominee for Armenia. And I don't think this is going
8 to take too long, although I don't know for certain. We have—we'll have some discussion, or
9 we can have as much discussion as my colleagues want and/or request a roll-call vote.

10 One other item I want to mention. Senator Lugar and I are working very hard on
11 dealing with the final—we've gotten the information on the treaty with Great Britain—the
12 treaty with Great Britain. And I think we're going to be able to—I'm going to yield to my
13 colleague to speak to this—be able to do this in early September. At least that's our hope.
14 There's a few little things—little hoops to go through, here.

15 I know there were—I'm sure some of you have been called by our British friends, as well
16 as administration friends, to have this done before the recess, but it's just not—we can't
17 responsibly do that, in my view. But, it is the intention of the Chairman—and I'll let Senator
18 Lugar speak for himself—but, I hope we can—and I anticipate we ought to be able to get this
19 done in early September.

20 Do you have any comment on that —

21 SENATOR LUGAR: Well, I would just —

22 THE CHAIRMAN: —or on anything else?

1 SENATOR LUGAR: No, I would just comment that, truly, our friends from Great
2 Britain and Australia are especially interested in this. They're good friends of the United States.
3 But, my understanding is that our Department of Justice has raised some questions with regard
4 to the enforceability of the treaty, sort of, in full disclosure of the argument. And I'm not certain
5 that all of our Departments were aware of that; State Department, for example. So, there's at
6 least some colloquy that needs to occur within the administration, but we're assured that the
7 administration will, I gather, come to some view on this, and then we'll have an opportunity.
8 But, clearly these treaties are important to all three of our countries, and it's also important they
9 be done right. And so, I think you've—we've been expediting prudence in getting these
10 finished.

11 THE CHAIRMAN: I'd like to add one other item to that. The irony is, this is not a
12 Senate-based objection, it's an administration-based objection, the administration's—not
13 objection—issue raised as to whether or not the treaty is enforcing—self-enforcing. The Justice
14 Department thinks not. It may need a bit of a fix, a little legislative fix. I don't think it's a big
15 problem. But, we just couldn't responsibly do it within the—when did we receive that
16 information from Justice? Late last week. So, we just didn't have time to do it. So, I don't want
17 anyone thinking that we're not paying attention to that.

18 Now —

19 SENATOR LUGAR: I have one more.

20 THE CHAIRMAN: Sure, please.

21 SENATOR LUGAR: This is—I visited with colleagues, and today we will take up on our
22 agenda this very broad-gauged view of our relations with Pakistan. It's especially timely, and

1 the President, in his remarks yesterday, commended the legislation, going well beyond the aid
2 that he was able to offer to the Pakistani Prime Minister, who we will be seeing around this
3 table, I believe, tomorrow. But, it is a large bill. It's complex. It's 5 years. It's an authorization,
4 not an appropriation. But, it does take our country into many, many more relationships with
5 Pakistan than we've had before. And so, I've asked members on our side for thoughtful
6 consideration, and hopefully the allowance that we might proceed with this in a timely way,
7 given the visit of our Pakistani guests.

8 THE CHAIRMAN: I think—if the Senator will yield—I think our colleagues are fairly
9 aware of the legislation we've put forward. It's been a matter of significant discussion in
10 hearings that we've had. And, to my delight, it's received wide bipartisan support on this
11 committee, as well as outside the committee. And, to be very blunt about it, I think it may be, at
12 the moment, the prescription that is needed in this moment of transition going on in Pakistan.

13 I know, when Senator Kerry and I—and Senator Hagel, as well—not recently; it's a
14 couple of months now—were in Pakistan, it fell on very fertile ground, the discussion of re-
15 centering our interests and priorities relative to their economic development, schools, and
16 highways, and development issues. And, you know, they're going through a fairly—this is a
17 tricky period, and their economic circumstance has also degraded, as most countries have
18 around the world. But, I think, in this moment of transition, when that occurs, it's hard for
19 people to make distinctions between it being a consequence of the transition, as opposed to a
20 consequence of—and it may very well be—but, I'm not making a judgment why—but, I hope
21 that we can pass that out today, because, as I said, as the Senator said, Pakistanis—the

1 delegation is here tomorrow, as well as—the President and the administration, who have
2 worked very, very closely with us on this, and I think we're all on the same page.

3 Senator Dodd?

4 SENATOR DODD: Well, I—just on that point—I commend the both of you for what
5 you've done, and I think it's an important point to mention, there—those who have been on this
6 committee for some time, there was a period, not that long ago, when we went through a period
7 where we cut off almost all relationship to the Pakistani military and—for reasons that had to
8 do with nuclear proliferation questions. And my own perspective, we paid a price for that.
9 And I think it's important, in looking at this bill, that, while we're increasing, substantially, our
10 support for civilian aid, much, as you point out, we did during the tragic earthquake, our levels
11 of support of the military are not declining; we're rearranging how that's working. But, I would
12 be deeply concerned if we were to, sort of, sever that or put such conditionality on it that we'd
13 break that relationship. It's very, very important. The militaries still have a lot to say about
14 what happens in Pakistan.

15 And so, I commend both of you for crafting it in the way that does not force that
16 separation, which I think cost us, and still does, to some degree, as a result of that, over the
17 years. So, there's a good balance here, it seems to me, and really worthy of support, and, I
18 think, a very important message at this critical time.

19 THE CHAIRMAN: While we're on it, does any—would anyone else like to speak to that
20 issue?

21 Senator?

1 SENATOR CARDIN: I do want to thank both of you for your leadership. I had an
2 opportunity to be in Pakistan just a few weeks ago, and it reinforced the comments that you
3 made. I think it's very important that we move forward with a more robust economic program
4 for Pakistan. I think it's going to be important for the security issues that we are concerned
5 about, particularly in the tribal areas. And I think the legislation you're bringing forward will
6 help us a great deal in meeting those objectives.

7 On Senator Dodd's point, I certainly support the military aid program that we have with
8 Pakistan, including funds for counterterrorism. But, I think it's important—and you have
9 accountability in your legislation—to make sure that those funds are used, as intended, to deal
10 with the direct threats against the United States and our interests in regards to terrorism.

11 So, I think that the bill is well balanced, and I congratulate our chairman and our
12 ranking member for their leadership on this issue, and I strongly support it.

13 THE CHAIRMAN: Well, I want to make it clear, there was a lot of input to this bill,
14 including Senators Kerry and Hagel and you and others around this table, who have made it,
15 you know—and so, I—you know, this is not a—this is a joint effort, and every once in a while,
16 hopefully, things come together where Democrats and Republicans in the Senate and the
17 Congress agree.

18 SENATOR KERRY: Mr. Chairman?

19 THE CHAIRMAN: Yes, Senator?

20 SENATOR KERRY: Well, Mr. Chairman, I want to join in thanking you for your
21 initiative here, both you and Senator Lugar. But, I really want to underscore to colleagues here
22 that, of all the places, I think, in the world right now, what's happening in Pakistan and

1 Afghanistan are probably the thorniest, trickiest, toughest, most fragile that we face. And, you
2 know, I know the Prime Minister is here, but there's a very dangerous game being played
3 between the—between Mr. Zardari and Sharif and Musharraf, and it's a—it's very possible that
4 we could really suffer an enormous setback there, unless this kind of effort is leveraged against
5 a very different approach to the territories that are currently ungovernable. And if they remain
6 ungovernable, it's very similar—it's not dissimilar to the Ho Chi Minh Trail and the sanctuaries
7 that people had, of course, in the Vietnam war. This is a sanctuary now. And they're able to
8 work mischief in both directions. So, the fate of Afghanistan, to some degree, hangs on what
9 happens in Pakistan, and vice versa.

10 And, in fact, the larger outcome of the war on terror, as we know it, is going to be
11 defined, to a large measure, by what we're able to do to quell the radical extremism that's
12 flourishing there.

13 So, this is really a downpayment, in my judgment. But, the most important thing to
14 understand is, this is the first time—and I've—you know, Senator Biden and Senator Hagel and
15 I and others talked about it when we were over there—the first time we've begun to focus on the
16 Pakistani people and on a set of programs that go beyond the military. And it's the only way,
17 ultimately, that we're going to have some kind of success there. But, it's going to be very, very,
18 very difficult, and I think the latest reports that I've had from friends who have been over there
19 in the last few days are that this is heading towards a real collision course. So, I think this is a
20 good step by the committee, and it's a—it's good to see the Congress taking an initiative on
21 something where it hasn't been taken elsewhere, and I hope we're going to get it out of here and
22 get it in place.

1 SENATOR LUGAR: Would you like me to move —

2 THE CHAIRMAN: Senator—the Senator moves the adoption of S. 326, I believe it is, the

3 —

4 SENATOR LUGAR: —S. 3263—

5 THE CHAIRMAN: -63, thank you. 3263? Thank you. Does—is there objection or any

6 further—is there any further discussion?

7 [No response.]

8 THE CHAIRMAN: Is there objection?

9 [No response.]

10 THE CHAIRMAN: All in favor, say aye.

11 [A chorus of ayes.]

12 THE CHAIRMAN: Opposed, no.

13 [No response.]

14 THE CHAIRMAN: The ayes have it. The bill is passed.

15 But, as usual, I didn't follow the advice of my colleague, which I should have. There's

16 two other bills on the agenda, S. 3052 and S. Res. 618. I'm told they've been cleared on our side,

17 as well as —

18 SENATOR LUGAR: I move adoption of the legislation.

19 THE CHAIRMAN: Is there any further discussion on any of legislation?

20 [No response.]

21 THE CHAIRMAN: All those in favor, say aye.

22 [A chorus of ayes.]

1 THE CHAIRMAN: Opposed, no.

2 [No response.]

3 THE CHAIRMAN: Then, all the legislation, three items, are now passed.

4 SENATOR DODD: Can I ask—Mr. Chairman? Just to mention this to Senator Lugar
5 before, just a point—I know we passed, unanimously, out of this committee, the Law of the Sea.
6 And I'm told that only a handful of members now —that this has been worked out. And I
7 know we have a crowded agenda between now and the end of business in September, but I
8 urge you to, maybe, bring it up with our leader and whoever else to buy some time to see if
9 we couldn't actually adopt that.

10 THE CHAIRMAN: Well, let me respond. But, I fully agree with you. I think it's really
11 counterproductive now, in light of some of the things that are happening, and talk about global
12 warming, and—borders—and, you know, all —I mean, it gets really, really quite dicey as time
13 goes on.

14 I think it's a serious mistake, in terms of us being outside that treaty. But, quite frankly,
15 we need the help of the administration, who is for the treaty—for the treaty—with—as I
16 understand it—I'll stand corrected if I'm mistaken—with, I believe, just, several Senators. I don't
17 think there is a particularly large contingent of Senators who feel very, very strongly about that.
18 And we all know that, at the end of the session, even in the beginning, these days, of the
19 session—but, yeah—so that—but, I assure the Senator that I will renew that effort and not only
20 talk with the Majority Leader, possibly even have a discussion with the Majority Leader,
21 Minority Leader, Senator Lugar, and myself, and see if there's any way to get through the
22 thicket. But, I don't want to predict.

1 Now, I will—there's at least one Senator who wishes to speak on our ambassadorial
2 nominee to Armenia. Maybe two, maybe three. Not maybe. Three. And so, why don't—is
3 there any objection to any of the other ambassadorial nominees, other than—not—there is
4 objection, but is there any objection to the list, excluding the ambassador to Armenia?

5 SENATOR FEINGOLD: Mr. Chairman?

6 THE CHAIRMAN: Yes.

7 SENATOR FEINGOLD: Could I just make a comment about John Simon? He's —

8 THE CHAIRMAN: Sure.

9 SENATOR FEINGOLD: —representative of the African Union. As we do this, I just
10 want to express concern about the nomination. He's clearly a very smart, dedicated public
11 servant, but he has very little direct peacekeeping and security-related experience. Given the
12 African Union's tremendous focus on peacekeeping, I think that lack of experience is
13 unfortunate. The African Union has shown its potential to become a significant player in
14 continental peace and security, peacekeeping, mediation—evidenced in challenges in Sudan
15 and Somalia. These capabilities of the African Union really are in their infancy, and they
16 require a sustained United States investment in strategic engagement. So, I am concerned that,
17 by appointing someone without substantial expertise in these areas, we're sending the wrong
18 signal to the African Union, a signal that this administration is not willing to commit to
19 addressing the tough issues. This would be the wrong message to send as we seek to
20 coordinate with our African partners to resolve these humanitarian and human rights crises
21 that we are always talking about.

1 Now, I do, as you know, tend to defer to the executive branch when it comes to
2 nonjudicial nominations, and I don't want to leave this post open without an ambassador for
3 the next 6 months. That's a bad message, too. So, I will support it, but I am concerned about
4 this, and hope that Mr. Simon will serve us well in Addis, and will not—I will not, at this time,
5 oppose his nomination.

6 THE CHAIRMAN: Let me state, also, Senator, I—I share your—the very concern you've
7 stated. Mr. Simon's a first-rate, fine, decent, very bright guy. I wish—because it's such a
8 difficult moment right now, in regard to the African Union, and is about—I think this next year
9 and a half, 2 years, is going to be a make-or-break or this is going to become viable—viable
10 entity in Africa that, near-term, can deal with some of the—no other way to say it—chaos that
11 exists in parts of Africa. And—but, I —I'm going to vote the same way you did—or you're
12 going to, for the same reason.

13 Are there objection to any of the nominees, other than the ambassadorial nominee to
14 Armenia?

15 [No response.]

16 THE CHAIRMAN: Without objection, they're all passed.

17 SENATOR LUGAR: Next, the treaties.

18 THE CHAIRMAN: And we have not passed the treaties. Any objection to any of the
19 treaties?

20 [No response.]

21 THE CHAIRMAN: All those in favor of the treaties passing, en bloc, say aye.

22 [A chorus of ayes.]

1 THE CHAIRMAN: Opposed, no.

2 [No response.]

3 THE CHAIRMAN: Now—the Senator raised a very good point. As a matter of
4 protocol, he said, "Should we vote on each of the treaties?" If we want to stay for 45 votes, we
5 can do that. I think we can do them, maybe, individually in the Senate, and up my average—
6 having missed so many votes when I was out on the trail. So, maybe you can make that
7 proposal—and help me out.

8 [Laughter.]

9 THE CHAIRMAN: I shouldn't be so flip. I apologize.

10 Senator Boxer wanted to speak to the ambassadorial nominee.

11 SENATOR BOXER: Mr. Chairman, thank you.

12 I know all of us feel this way, but where the United States stands on the issue of
13 genocide is no small matter. And I'm sure everyone agrees where we stand on the Armenia
14 genocide is no small matter. But, as we work to rebuild our standing in the world, I think there
15 are a few issues on which we shouldn't ever waver. And I believe, if we, as a country, can't be
16 clear on the Armenian genocide, then I think we've got a continuing problem on our hands,
17 particularly as we try to address issues, such as the modern-day genocide that is raging in the
18 Darfur region of Sudan.

19 In response to a question submitted by our Chairman Biden to Ambassador
20 Yovanovitch about what the administration has done to, quote, "end Turkey's denial of the
21 Armenian genocide," unquote, Ambassador Yovanovitch responded, quote, that, "our Embassy

1 in Ankara also is committed to working with the Government of Turkey on ways in which the
2 terrible events of 1915 can be studied," close quote.

3 As you know, Mr. Chairman, there's no need for further study on historical research.
4 The facts are clear. Beginning in 1915, well over 1.5 million Armenians were marched to their
5 deaths in the deserts of the Middle East, murdered in concentration camps, and forced to
6 endure unimaginable acts of brutality at the hands of the Ottoman Empire. I'm going to wait til
7 the bells stop, because —

8 THE CHAIRMAN: Okay.

9 SENATOR BOXER: —it's hard to talk.

10 Since that time, the deliberate massacre of the Armenians has been painstakingly
11 documented and confirmed by untold numbers of scholars, including Nobel Prize recipient Elie
12 Wiesel, who published a petition in the New York Times, with other Holocaust scholars,
13 affirming, quote, "the incontestable fact of the Armenian genocide," unquote. And I know all of
14 us really admire and respect Elie Wiesel.

15 I appreciate that Ambassador Yovanovitch has clarified in writing that by proposing to
16 bring Turkish and Armenian scholars to the United States, the State Department is not seeking
17 to, quote, "open a debate" on whether the Ottomans committed these horrendous acts, but that
18 it is seeking to, quote, "help preserve the documentation that supports the truth of those
19 events."

20 There's so much running away from the word "genocide." It's unbelievable. It's a
21 tortured way of speaking about reality.

1 Now, I also appreciate that the State Department clarified that it holds the Ottoman
2 Empire, quote, "responsible for those crimes," unquote, involving the, quote, "mass killings,
3 ethnic cleansing, and forced deportations of over 1 and a half million Armenians. Mr.
4 Chairman, mass killings, ethnic cleansing, forced deportations of over 1 and a half million
5 Armenians, and they can't bring themselves to call it what it is: a genocide.

6 Because Ambassador Yovanovitch, who I admire greatly—her work has been
7 exceptional—because she can still not use the word "genocide," I cannot vote for her
8 nomination. Why can't she just say, "I personally see this as a genocide, but the administration
9 doesn't want me to use that word. So, although my personal view is that it is a genocide, I am—
10 I cannot call it so"? Why not say that?

11 So, my no-vote today should be viewed as support for the truth when it comes to the
12 Armenian genocide, but I want to say that I will not block further action on this nomination, for
13 a host of reasons. But, it is still very disturbing that we keep running around this word. And I
14 just feel, at the end of the day, it's just not honest.

15 And I thank you for your consideration.

16 THE CHAIRMAN: Thank you, Senator.

17 Senator Menendez?

18 SENATOR MENENDEZ: Thank you, Mr. Chairman.

19 Let me, in many respects, echo what Senator Boxer has said. And let me start off with
20 that I also have very deep respect for Ambassador Yovanovitch and her, I believe, 22 years of
21 very distinguished service in the Foreign Service — career Foreign Service officer.

1 However, for those of you who may have been there or have read the transcripts—
2 Senator Cardin, I believe, presided at the time over her nomination—I just want to give you a
3 sense why it causes concern for so many of us.

4 You know, at that hearing, I asked her a series of questions, questions that are factual in
5 nature, including declarations by President Bush in which the President has said, "We pause in
6 remembrance of one of the most horrible tragedies of the 20th century, the annihilation"—not
7 an insignificant word—"the annihilation of as many as 1.5 million Armenians through forced
8 exile and murder at the end of the Ottoman Empire." And I read to her a series of statements,
9 both of President Bush and other facts which she acknowledged, and then asked her a simple
10 question. I also read to her the—and gave her a copy of the International Convention on
11 Genocide, and I asked her for an opinion. I didn't ask her for a policy statement. I asked her for
12 an opinion, Would those facts that you have acknowledged exist also, in fact, rise to the level of
13 those statements of what the International Convention on Genocide is? And her answer was,
14 "That's a policy decision." Now, I understand the nature—that she's not going to make a policy
15 decision. I wasn't asking for that. I was asking for an opinion.

16 And my concern, Mr. Chairman—the oath that ambassadors take, of which I have a
17 copy here, says, "I do solemnly swear that I will support and defend the Constitution of the
18 United States against all enemies, foreign and domestic," and goes on, "I will bear true faith and
19 allegiance to the same." It doesn't say, "I take an oath to the President of the United States," this
20 or any future President. It says, "I take an oath to the Constitution of the United States." That
21 Constitution includes this body, which has specific provisions about advice and consent. If we
22 cannot have a nominee, and then future—a nominee that ultimately passes, and then a future

1 ambassador, give their opinion when called before this committee, of the facts on the ground, of
2 the set of circumstances, then we are undermining the very essence of our ability to adduce and
3 attain what are the facts so that we can ultimately pursue the right policy. And that is the real
4 concern to me.

5 Now, I said, at that time, that we are in a ridiculous dance the administration asks our
6 Foreign Service people to do over the use of this term "genocide." And I was concerned, in
7 some of the answers that Ambassador Yovanovitch wrote in response to some of our written
8 questions, which, you know, suggest that some Armenians—Armenian Americans and some
9 Americans suggest that the facts that took place during period of time were genocide, as to
10 suggest that others may not believe it so. The problem with that, Mr. Chairman, is that every
11 credible, objective historian, not just Armenian historians, but a broad range of historians,
12 including the International Association of Genocide Scholars, the Institute on the Holocaust and
13 Genocide, the Institute for the Study of Genocide, all recognize these facts of that period in time
14 as genocide.

15 And so, it's even amazing to me, Mr. Chairman, that our ambassadors to Armenia have,
16 every April, attended the commemoration of the Armenian genocide, a commemoration of an
17 event that the administration doesn't even officially recognize. So, you go to a genocide
18 commemoration event, and you're not recognizing genocide.

19 Now, those are the concerns that we've had. Now, Mr. Chairman, finally, in view,
20 however, of the written responses that were sent to you, which I'd ask unanimous consent—of
21 which I have a copy, and I'm sure the Chairman would not mind if —

22 THE CHAIRMAN: No, not at all.

1 SENATOR MENENDEZ: —it be in the record—where Ambassador Yovanovitch—well,
2 the State Department makes it clear that, when they talked about bringing the archives from
3 Turkey and Armenia to the United States for—their goal was not to open a debate on whether
4 the Ottomans committed these horrendous acts, it is to preserve the documentation that
5 supports the truth of these events."

[The information previously referred to follows:]

[COMMITTEE INSERT]

6 SENATOR MENENDEZ: And, secondly, a clarification of the question that I had asked,
7 where, in fact, there was some suggestion—it was left open as to who committed these acts, and
8 the letter goes to say, "The administration recognizes that the mass killings, ethnic cleansing,
9 and forced deportations of over 1 and a half million Armenians were conducted by the Ottoman
10 Empire," goes on to say, "We, indeed, hold Ottoman officials responsible for those crimes."
11 Now, that is a very significant step forward.

12 In view of that, Mr. Chairman, and finally, you know, I would just make one final
13 comment. You know, I hope—we, as a country, have been liberated from some of our darkest
14 periods of our history by getting to the truth. Confronting slavery is an example of that. The
15 unlawful interment of the Japanese in our country is an example of that. We will help Turkey
16 liberate itself, when it comes to its own conclusion of something that happened in the past, in a
17 different time. And so, the supposed concern that we are—may create at the front, I think, is
18 ultimately enabling a set of circumstances that doesn't prove helpful with Turkey.

19 Having said all of that, I intend to vote for Ambassador Yovanovitch. I do not intend to
20 hold her up, which was my original intention, having read, now, her responses. I do want to

1 say, my vote should not be interpreted as in any way accepting the administration's views and
2 positions in which it does not allow our Foreign Service people to recognize what those facts
3 are, which —

4 Thank you, Mr. Chairman, for your indulgence.

5 THE CHAIRMAN: Senator Cardin?

6 SENATOR CARDIN: Thank you, Mr. Chairman.

7 THE CHAIRMAN: Before you begin, Senator, we are missing a quorum, by one. Now,
8 take your—I'm not trying to curtail that, but —

9 SENATOR CARDIN: I'll speak as long as —

10 THE CHAIRMAN: No, no, no, no.

11 [Laughter.]

12 THE CHAIRMAN: That would be very good, Senator, but —

13 SENATOR CARDIN: If the staff can —

14 THE CHAIRMAN: —maybe we can get —

15 SENATOR CARDIN: —bring one more member in as soon —

16 THE CHAIRMAN: —get —

17 SENATOR CARDIN: —as that happens, I think I could —

18 THE CHAIRMAN: —get someone back here —

19 SENATOR CARDIN: —complete my comments.

20 THE CHAIRMAN: —it would be helpful.

1 SENATOR CARDIN: And I can accommodate the length of my speech on this
2 nominee, because of what Senator Menendez has said, because I agree almost totally with his
3 point.

4 I was honored to chair the hearing, on behalf of the Chair, and it—it's clear that the
5 statements of fact that the nominee acknowledged—and it's on the record—it was clear that she
6 acknowledged that what happened in 1915 was genocide. And I agree with Senator Menendez
7 and Senator Boxer that the administration's position on this is not helping Turkey and it's not
8 helping the U.S. position. It's important that we be correct, historically, as to what happened,
9 and it's important that we use the right terms. And it is clearly "genocide." And I agree with
10 my colleagues in that regard.

11 I do think that Ambassador Yovanovitch was very straight with the committee, as far as
12 the factual terms. She's an experienced diplomat. And I think it's important for Armenia to
13 have a confirmed ambassador. I think it's in their interest to have a confirmed ambassador,
14 particularly one that's experienced, a career diplomat that can help in regards to these matters.

15 Mr. Chairman, I intend to bring to the State Department's attention the work that's being
16 done by Armenians and Turks to bring closure to these issues. The Turkish-Armenian
17 Reconciliation Commission and the International Center for Transitional Justice have worked
18 on these issues to try to improve the relationship between Turkey and Armenia, which I think is
19 in the interest of the United States. And clearly the facts of what happened in 1915, the
20 genocide, needs to be reminded that what happened, and a denial of it will not facilitate the—
21 strengthening the relationship between their countries and with the United States.

1 So, I agree with the comments of my colleagues. I think that Ambassador Yovanovitch
2 is well qualified to be the ambassador. And I think it's important that we do have a confirmed
3 ambassador to represent U.S. interests in Armenia.

4 THE CHAIRMAN: Well, let me say two things.

5 First of all, I may be mistaken, but I think the first Armenian genocide resolution was
6 introduced by Bob Dole and me in '86 or '87. I may be mistaken, but I think that's the year. It is
7 genocide. As Senator Boxer pointed out, it is genocide. In my view, whether relating to
8 Germany and the incredible work that Senator Dodd's father, Senator Dodd, did in the war
9 crimes—the Nuremberg trials, or whether it's Bosnia or the Balkans or Armenia, almost 100
10 years ago, a nation that fails to come to grips with its past clouds its future in a way that makes
11 it almost impossible for it to see clearly. And so, one of the things that I want to compliment, of
12 the many compliments that should be—if we had the time—I would convey to my three
13 colleagues who just spoke—but I want to point out that, quite frankly, Senator Menendez, you
14 and Senator Boxer, in your sustained push on this—I don't think the administration would have
15 come as far as they have. They've come a long, long, long way, as you read that last response
16 when I wrote to them, in response to what I believed to be not clear answers to your questions
17 to the Ambassador. And that is a bit of a milestone. That—I promise you, that's going to be
18 reported in Ankara today. That's going to be reported in Armenia. That's a big deal. Number
19 one.

20 I also want to thank, quite frankly, the American-Armenian community for working
21 this. This is a very hard thing for them to come to grips with. This is not easy. And their
22 willingness to not just throw themselves in front of a train here has taken an awful lot of some—

1 at least within the community, political risk for them, not that there's anybody holding off, but, I
2 mean, it—it is a—it's a big deal. I mean, the maturation of the community is something that I
3 think is remarkable, because this is still not resolved in the way that four—probably all of us
4 want to see it resolved.

5 The last point I'll make is that one of the things that I tried to do when—the last go-
6 round at trying to place an ambassador, was that—I sought to get some commitments from the
7 administration that are different than—in addition to what the commitments the three of you
8 have been able to generate here—and that is, I wanted the State Department to affirm three
9 things. And the three things that I wanted them to affirm, which they have, is, first, to—that, if
10 confirmed, our new ambassador would engage in reciprocal visits—"reciprocal visits," meaning
11 Turkey and Armenia—so that each has the opportunity to hear from Armenian and Turkish
12 officials, personally—so, this is not something that is kept isolated. And I think this is an
13 excellent way to finally get some traction on ending, I hope at least, the blockade and
14 establishing better relations here. I think to pretend that this is not a, you know, existing
15 impediment is—we're just—we're kidding ourselves.

16 Secondly, recognition by the United States of the fact of the Armenian genocide is not
17 the final goal. The real goal, for me, is recognition by Turkey of the—and the Turkish
18 government—of genocide, and the establishment of a common Armenian-Turkish
19 understanding of the events and tragedy that took place almost 100 years ago. And so, I called
20 upon the State Department to report on this commitment they're making—that they've made to
21 me, on the efforts to address Turkey's denial of genocide. In our visit, Senator, again—I keep
22 invoking this visit—but,

1 Senator Kerry and Senator Hagel and I, we were in Turkey, and we all said, in one form or
2 another, "Hey, look, when are you going to, you know, get real about this?" I mean—and it was
3 clear there is internal difficulty, politically —they all know what happened—trying to figure out
4 how they're going to—how they're going to deal with this, in a government that's under siege
5 from the courts and a whole range of other things going on now.

6 So—but, I just think we have to play an affirmative role in moving this along, and that's
7 why the answer to the question, Senator, about the archives coming over, is—it was very
8 important, for me at least, I know to you, to clarify this wasn't in any way anything other than
9 to guarantee that those documents are saved and to establish this.

10 And I've just—my third point is—just walked in the door.

11 [Laughter.]

12 THE CHAIRMAN: So, I will ask unanimous consent that the rest of what I was going to
13 say be placed in the record, here.

[The information previously referred to follows:]

[COMMITTEE INSERT]

14 THE CHAIRMAN: But, the bottom line is—the Senator from Georgia was kind enough
15 to come back—is there any further discussion on the—our ambassador—by the way, the
16 Armenian Ambassador is here, present, I am told by my staff, and I say, "Welcome, Mr.
17 Ambassador." And—the Ambassador from Armenia to the United States—and I know had
18 badly you want an ambassador. So, hopefully we can send you one.

19 So, is there any further discussion on —

20 SENATOR DODD: Associate ourselves with the remarks of my colleague.

1 THE CHAIRMAN: Say again?

2 SENATOR DODD: Associate ourselves with the remarks of my colleague.

3 THE CHAIRMAN: Well, I think that's a good thing to associate with.

4 If anyone—would anyone like to—if not, I would—this is important enough to have a
5 roll-call vote, unless—are you prepared —

6 SENATOR BOXER: As long as I can be recorded, I don't —

7 THE CHAIRMAN: All right. Well, then all those in favor, say aye.

8 [A chorus of ayes.]

9 THE CHAIRMAN: Opposed, no.

10 SENATOR BOXER: No.

11 THE CHAIRMAN: The Senator from California wants to be recorded as a "no." The
12 nominee is passed, and we have —

13 SENATOR BOXER: Thank you very much.

14 THE CHAIRMAN: —completed our business.

15 And I thank my colleagues.

[Whereupon, at 3:08 p.m., the meeting was adjourned.]