

the appropriate congressional committees on significant acts of public corruption in Nicaragua that—

(1) involve—  
(A) the President of Nicaragua, Daniel Ortega;

(B) members of the family of Daniel Ortega; and

(C) senior officials of the Ortega government, including—

(1) members of the Supreme Electoral Council, the Nicaraguan Armed Forces, and the National Nicaraguan Police; and

(2) elected officials from the Sandinista National Liberation Front party;

(3) pose challenges for United States national security and regional stability;

(4) impede the realization of free, fair, and transparent elections in Nicaragua; and

(5) violate the fundamental freedoms of civil society and political opponents in Nicaragua.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

#### **SEC. 9. CLASSIFIED REPORT ON THE ACTIVITIES OF THE RUSSIAN FEDERATION IN NICARAGUA.**

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, acting through the Bureau of Intelligence and Research of the Department of State, and in coordination with the Director of National Intelligence, shall submit a classified report to the appropriate congressional committees on activities of the Government of the Russian Federation in Nicaragua, including—

(1) cooperation between Russian and Nicaraguan military personnel, intelligence services, security forces, and law enforcement, and private Russian security contractors;

(2) cooperation related to telecommunications and satellite navigation;

(3) other political and economic cooperation, including with respect to banking, disinformation, and election interference; and

(4) the threats and risks that such activities pose to United States national interests and national security.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives.

#### **SEC. 10. REPORT ON CERTAIN PURCHASES BY AND AGREEMENTS ENTERED INTO BY GOVERNMENT OF NICARAGUA RELATING TO MILITARY OR INTELLIGENCE SECTOR OF NICARAGUA.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, acting through the Bureau of Intelligence and Research of the Department of State, and in coordination with the Director of National Intelligence and the Director of the Defense Intelligence Agency, shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that includes—

(1) a list of—

(A) all equipment, technology, or infrastructure with respect to the military or intelligence sector of Nicaragua purchased, on or after January 1, 2011, by the Government of Nicaragua from an entity identified by the

Department of State under section 231(e) of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9525(e)); and

(B) all agreements with respect to the military or intelligence sector of Nicaragua entered into, on or after January 1, 2011, by the Government of Nicaragua with an entity described in subparagraph (A); and

(2) a description of and date for each purchase and agreement described in paragraph (1).

(b) CONSIDERATION.—The report required by subsection (a) shall be prepared after consideration of the content of the report of the Defense Intelligence Agency entitled, “Russia: Defense Cooperation with Cuba, Nicaragua, and Venezuela” and dated February 4, 2019.

(c) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

#### **SEC. 11. REPORT ON HUMAN RIGHTS ABUSES IN NICARAGUA.**

(a) FINDINGS.—Congress finds that, since the June 2018 initiation of “Operation Clean-up”, an effort of the government of Daniel Ortega to dismantle barricades constructed throughout Nicaragua during social demonstrations in April 2018, the Ortega government has increased its abuse of campesinos and members of indigenous communities, including arbitrary detentions, torture, and sexual violence as a form of intimidation.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report that documents the perpetration of gross human rights violations by the Ortega government against the citizens of Nicaragua, including campesinos and indigenous communities in the interior of Nicaragua.

(c) ELEMENTS.—The report required by subsection (b) shall—

(1) include a compilation of human rights violations committed by the Ortega government against the citizens of Nicaragua, with a focus on such violations committed since April 2018, including human rights abuses and extrajudicial killings in—

(A) the cities of Managua, Carazo, and Masaya between April and June of 2018; and

(B) the municipalities of Wiwili, El Cuá, San Jose de Bocay, and Santa Maria de Pantasma in the Department of Jinotega, Esquipulas in the Department of Rivas, and Bilwi in the North Caribbean Coast Autonomous Region between 2018 and 2021;

(2) outline efforts by the Ortega government to intimidate and disrupt the activities of civil society organizations attempting to hold the government accountable for infringing on the fundamental rights and freedoms of the people of Nicaragua; and

(3) provide recommendations on how the United States, in collaboration with international partners and Nicaraguan civil society, should leverage bilateral and regional relationships to curtail the gross human rights violations perpetrated by the Ortega government and better support the victims of human rights violations in Nicaragua.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations of the Senate; and

(2) the Committee on Foreign Affairs of the House of Representatives.

#### **SEC. 12. SUPPORTING INDEPENDENT NEWS MEDIA AND FREEDOM OF INFORMATION IN NICARAGUA.**

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, the Adminis-

trator for the United States Agency for International Development, and the Chief Executive Officer of the United States Agency for Global Media, shall submit to Congress a report that includes—

(1) an evaluation of the governmental, political, and technological obstacles faced by the people of Nicaragua in their efforts to obtain accurate, objective, and comprehensive news and information about domestic and international affairs; and

(2) a list of all TV channels, radio stations, online news sites, and other media platforms operating in Nicaragua that are directly or indirectly owned or controlled by President Daniel Ortega, members of the Ortega family, or known allies of the Ortega government.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an assessment of the extent to which the current level and type of news and related programming and content provided by the Voice of America and other sources is addressing the informational needs of the people of Nicaragua;

(2) a description of existing United States efforts to strengthen freedom of the press and freedom of expression in Nicaragua, including recommendations to expand upon those efforts; and

(3) a strategy for strengthening independent broadcasting, information distribution, and media platforms in Nicaragua.

#### **SEC. 13. AMENDMENT TO SHORT TITLE OF PUBLIC LAW 115-335.**

Section 1(a) of the Nicaragua Human Rights and Anticorruption Act of 2018 (Public Law 115-335; 50 U.S.C. 1701 note) is amended to read as follows:

“(a) SHORT TITLE.—This Act may be cited as the ‘Nicaragua Investment Conditionality Act of 2018’ or the ‘NICA Act’.”

#### **SEC. 14. DEFINITION.**

In this Act, the term “Nicaragua Investment Conditionality Act of 2018” means the Public Law 115-335 (50 U.S.C. 1701 note), as amended by section 13.

#### **REINFORCING NICARAGUA'S ADHERENCE TO CONDITIONS FOR ELECTORAL REFORM ACT OF 2021**

Mr. SCHUMER. Madam President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of S. 1064 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1064) to advance the strategic alignment of United States diplomatic tools toward the realization of free, fair, and transparent elections in Nicaragua and to reaffirm the commitment of the United States to protect the fundamental freedoms and human rights of the people of Nicaragua, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. Madam President, I ask unanimous consent that the substitute amendment at the desk be considered and agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4132) in the nature of a substitute was agreed to.

(Purpose: In the nature of a substitute.)

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. SCHUMER. Madam President, I ask unanimous consent that the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

Mr. SCHUMER. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate on the bill, as amended?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 1064), as amended, was passed.

Mr. SCHUMER. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR TUESDAY, NOVEMBER 2, 2021

Mr. SCHUMER. Finally, Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, November 2; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Davidson nomination; further, that notwithstanding rule XXII, at 11 a.m., the Senate vote on cloture on the Davidson, Harris, and Coleman nominations in the order listed; and that following the cloture vote on the Coleman nomination, the Senate recess until 2:15 p.m. to allow for the weekly caucus meetings; further, that at 2:20 p.m., the Senate vote on the motion to invoke cloture on the Prieto and Nayak nominations, in the order listed; that at 5:15 p.m., the Senate vote on confirmation of the Davidson nomination if cloture has been invoked; and that upon disposition of the Davidson nomination, the Senate resume consideration of the Harris nomination.

Finally, if any nominations are confirmed during Tuesday's session, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. For information of Senators, there will be three rollcall votes at 11 a.m., two rollcall votes at 2:20 p.m., and one rollcall vote at 5:15 p.m.

If there is no further business to come before the Senate, I ask that it stand adjourned under the previous

order following the remarks of Senator CRUZ.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Texas.

#### THE MIDDLE EAST

Mr. CRUZ. Madam President, I rise today to discuss the growing threats to American national security and to the security of our friends and allies in the Middle East.

Under President Obama and Vice President Biden, the policies put in place were a catastrophe for our allies in the Middle East and a boon to our enemies. They boosted the Muslim Brotherhood and criticized Arab governments that tried to crack down on religious extremists. They gave Palestinian groups tied to terrorism a veto over peace between our Israeli and Arab allies, and they elevated those groups.

They pushed the catastrophic Obama-Iran nuclear deal, which dismantled pressure on Iran and put the Ayatollah on a path towards a nuclear arsenal, while sending pallets of cash in the dead of night as ransom for hostages.

Of course, the Obama-Biden administration didn't tell the American people and didn't tell Congress what they were doing. Instead, they deliberately hid that information. They lied as long as they could about their policies, and they developed and built an echo chamber designed to drown out their critics.

I rise today because history is repeating itself, because I am deeply worried that President Biden and the Biden-Harris administration are returning to the very worst policies and the very worst tactics of the Obama years and that the consequences are going to be far worse.

Once again, the Biden-Harris administration is boosting the Muslim Brotherhood and other religious extremist groups in the Middle East. They are elevating the Palestinians at the expense of our Israeli and Arab allies, and they are dismantling pressure on Iran.

And, once again, they are hiding those details from Congress. They do not want Congress to know, and they do not want the American people to know. And, in some cases, unfortunately, they are outright lying.

I know that President Biden and his administration are refusing to answer, even lying about their Middle East policies, because I asked them. I asked them as part of questioning Barbara Leaf, the President's nominee to be the Assistant Secretary of State for Near East Affairs.

Over the next several minutes, I will discuss the answers I got back.

Ms. Leaf has been—and will continue to be—at the center of the Biden-Harris administration's Middle East policy. She was responsible for Middle East policy from the very beginning of this administration as the senior director

for Middle East and North African Affairs at the National Security Council. In her new position to which she has been nominated, she would be America's most senior diplomat for the Middle East.

I asked Ms. Leaf written questions about Biden's administration's policies in multiple areas of Middle East policy, as part of her testimony in front of the Senate Foreign Relations Committee. Her answers ranged from deliberately nonresponsive to simply false and, throughout, thoroughly, deeply distressing.

For example, right now, today, the Biden-Harris administration is withholding \$130 million of assistance for security and counterterrorism from our Egyptian allies, allegedly on human rights concerns. What we don't know is exactly why they are doing it and exactly what the Biden-Harris administration is asking for.

Under the Obama administration, the United States repeatedly, inexplicably boosted the Muslim Brotherhood, which openly advocated terrorism against the United States. Those extremists were boosted at the expense of moderate Arab allies, and they consistently misled the public about their goals.

Here, the only reason the American public found out in the first place about this \$130 million is because the Washington Post revealed it. The Biden-Harris administration didn't explain to the American people what they were doing. It was only the reporting of journalists that revealed it, and we still don't know enough. We don't know the details.

The Post reported that the administration is withholding the aid until Egypt addresses certain human rights concerns. We don't know what they are. They apparently include releasing 16 unnamed prisoners. We don't know who they are.

So I asked Ms. Leaf about these details. I asked about the 16 people. I asked for their names, their institutional affiliations, what they were charged with. I also asked if they were American citizens. And if they were not, I asked whether they were involved in organizations that push Islamic extremism or anti-Semitism.

Ms. Leaf is obviously very familiar with the case. She wrote back over 1,000 words of highly technical responses. Here is just a third of her answer. That is the part we could fit on the poster board. Lots of words, lots of numbers, but, as you can see, not a single detail that I requested was provided.

Of the 16 people the Biden-Harris administration is demanding that Egypt release, you will see not a single name—not a one. Congress doesn't get to know who those 16 people are. The American people don't get to know who those 16 people are. The answer from Ms. Leaf to the Senate Foreign Relations Committee is, to not put too fine a point on it, Go jump in a lake.