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No. 16

## Senate

The Senate met at 12 noon and was called to order by the Honorable SHELLEY MOORE CAPITO, a Senator from the State of West Virginia.

### PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rabbi Barry Block, leader of the Congregation B'nai Israel in Little Rock, AR.

The guest Chaplain offered the following prayer:

Divine Source of Blessing, we come before You today to ask Your blessings on the United States Senate and on the 100 men and women who serve our Nation here. Like King Solomon before them, let these Senators lead our Nation with wisdom, with Your Word and our Nation's Constitution constantly guiding them to pursue liberty and justice, opportunity and equality, for every man, woman, and child within our borders, for those who would peacefully seek refuge on our shores, and for each of Your children on Earth. Make them ever mindful of Your command to remember the heart of the stranger—the people most unlike them and the least powerful of voices—for we were all strangers in one Egypt or another. In this age of division, unite these Senators, for only when working together across party lines do they truly represent all Americans.

Temper the majority's resolve with humility. Let the minority manifest an opposition that is as loyal as it is robust. Let all come together to ask Your choicest blessings on the United States of America.

And let us say, Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, January 31, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHELLEY MOORE CAPITO, a Senator from the State of West Virginia, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mrs. CAPITO thereupon assumed the Chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

### WELCOMING THE GUEST CHAPLAIN

Mr. BOOZMAN. Madam President, Senator COTTON and I would like to welcome Rabbi Barry Block and thank him for delivering the opening prayer to the Senate today. I am proud that he accepted our invitation to lead the Senate with his spiritual guidance.

Rabbi Block is the leader of B'nai Israel—Arkansas's largest Jewish congregation—a position he has held since 2013. I have gotten to know Rabbi Block and his dedication to his congregants through his annual visits to Washington with the Religious Action Center of Reform Judaism. He has served Reform Judaism as a member of the Board of the Central Conference of American Rabbis and chair of its Resolutions and Nominating Committee and as president of the Southwest Association of Reform Rabbis.

Serving as the guest Chaplain is an incredible honor. Today he is joined by his sons Robert and Daniel. He wished to share this experience with his congregants as well. I enjoyed meeting

yesterday with him and his confirmation students to hear about their concerns on a wide variety of social issues. I appreciate his prayer for our country and its leaders.

I yield the floor.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### FILLING THE SUPREME COURT VACANCY

Mr. McCONNELL. Madam President, yesterday the Senate voted to advance President Trump's nominee for Secretary of State. I look forward to confirming him and the rest of the President's slate of well-qualified nominees. We need them to get to work as soon as possible.

We will have more opportunities to advance nominees starting this afternoon, and later tonight, we expect the President to send us another nominee. The President said he will announce his choice for the Supreme Court shortly from a list of about 20 well-qualified Americans. It is a list he shared publicly months ago. As I said yesterday, each of those potential nominees has a distinguished background, whether on the appellate courts or trial courts, whether at the State level or the Federal level.

We look forward to the announcement of this nominee tonight, and we look forward to doing our job to fairly consider that nominee here in the Senate. Our friends across the aisle should treat this President's nominee in the same manner as previous nominees of newly elected Presidents. This is not the time for our friends to embark on another partisan crusade.

We have just been through a contentious election. It is time to bring our country together. It is disappointing

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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that we have already started hearing some of the same tired rhetoric from the left. This is before the President even announces the nominee—disappointing but not surprising. The left has been doing this for decades. It does not matter if the President is George H.W. Bush or Gerald Ford. It does not matter if the nominee is David Souter or John Paul Stevens. They will warn of impending doom. They will claim the end is nigh. They will run through the required list of attacks: extreme this, anti that, herald the apocalypse. And then, miraculously, the Sun will rise again in the East, and the world will still keep on turning. I hope we can skip past the left's hyperbole this time.

Unfortunately, we have heard our friend the Democratic leader talk about fighting the President's nominee tooth and nail. We have heard that others in his party are preparing to mount a filibuster of this nominee. Of course, we do not even know who it is yet. That is not productive. That is not what our country needs right now.

We understand that some on the left will never be pleased with any nominee this President—or any Republican President, for that matter—puts forward. We know some will continue to refuse to accept the results of the election. But our Democratic colleagues should not follow the far left down that harmful path for our country.

We need to all remember that the Supreme Court seat does not belong to any President or any political party. I have been clear all along that the next President, regardless of party—regardless of party—would name the next nominee for this seat. It is a decision I stood by even when it seemed likely we would have a Democrat in the White House. It is worth repeating, of course, that this standard is not uniquely mine or even Senate Republicans'. There is a reason this principle has been called not only the Biden rule but also the Schumer standard.

But, look, the election season is now over. We have a new President. We each have a responsibility to be serious and move from campaign mode to governing mode. It is my sincere hope that our friends across the aisle will join us in thoughtfully reviewing and considering the next Supreme Court Justice. It is the best way forward for the Senate, for the Court, and for our country.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

#### TRUMP ADMINISTRATION

Mr. SCHUMER. Madam President, there is a theme that is beginning to define this new administration: incompetence leading to chaos. Over the weekend, the hastily constructed Executive order on immigration and refu-

gees caused chaos in airports across America and across the world. Folks were caught in detention at airports for up to 12 hours, young children separated from their mothers, husbands from their wives, elderly travelers denied medical care, green card holders and legal residents being denied the right to see an attorney. Some folks were pressured into signing away their permanent legal status. There were scenes of utter havoc.

Nobody seemed to know the legal ramifications of the order, including the most senior officials in charge of enforcing it—at DHS, DOJ, and State. There is a reason no one knows the legal ramifications. No one asked the professionals in the Departments. Isn't it amazing—on one of the most sweeping Executive orders ever issued, the Secretary of Defense, the Secretary of Homeland Security, and the head of the CIA have said through reports that they did not even know of it.

The level of incompetence of this administration already, only 10 days into the Presidency, is staggering.

The legal ramifications leading to the firing of Sally Yates last night—there is a reason no one knows the legal ramifications. No one asked the professionals in the Departments and agencies responsible for implementing the rules.

A good manager, an administration with even a low bar of confidence, would have given the Department of Justice ample time to shape this policy and review it, as well as 15 or 30 days to implement it. At Kennedy Airport, Customs, the CPB—they had no idea this was coming down.

Last night, incompetence led to chaos at the Justice Department. Deputy Attorney General Sally Yates, then-Acting Attorney General, issued a notice saying the Department of Justice will not defend President Trump's Executive order on immigrants and refugees from Muslim-majority countries because of its dubious legality and even more dubious constitutionality. To put this in perspective, this was our country's top lawyer, someone who served administrations in both parties, someone who has the reputation of doing things on the merits, of not being political, saying that the Executive order is on such shaky legal and constitutional ground that the administration's lawyers should not defend it.

I have to say that she was our country's top lawyer, because within hours of her principled statement detailing her professional legal opinion, the Trump administration fired her. An hour later, the Acting Immigration and Customs Enforcement Director was dismissed as well.

The hair-trigger response from the White House to relieve them of their duties was a Monday night massacre, eerily reminiscent of the political firing by the Nixon administration during Watergate. But instead of it happening 6 years into an administration, it happened within the first 2 weeks. How

many more of these dismissals will take place over the next 4 years? How many more firings because the President and his people in the White House do not want to hear a proper legal opinion?

Sally Yates was the Acting Attorney General. Why wasn't she consulted on the Executive order? Maybe if she had been, they would have learned all of the ways it is legally and constitutionally deficient and the administration would not have issued it.

But here we are, 2 weeks into the new Trump administration. Already we are on the cusp of a constitutional crisis. We are already in a crisis of competence.

A dangerous pattern is beginning to emerge because throughout the past week, incompetence led to chaos at the State Department as well. Before the Secretary of State is confirmed, before any Deputy and Under Secretaries have been named, the President unceremoniously cleared out more than a century of experience among senior officials at the State Department. One of the top officials removed last week was in charge of management issues at the State Department, including security of our embassies and associated personnel overseas. This could potentially put our people overseas at risk and could potentially make it more difficult for our government to conduct the business of our Nation overseas. This makes America weaker, not stronger.

Another official was in charge of ensuring the compliance of nations with whom we have arms control and security treaties. This is an area where my friends from the other side of the aisle—most notably, my friend from Arkansas—demanded robust action under the previous administration, especially with respect to Russia. These important issues require continuing senior-level government attention and expertise, not a vacant office.

So, again, incompetence is astounding the American people. It is amazing how poorly done so many things that have come out of the White House in the first 2 weeks have been. It seems the President is treating our Nation's most senior and capable members of his workforce as if this is an episode of "The Apprentice."

Unlike on the campaign trail, the President's slapdash decisions, tweets, and the basic incompetence of his administration threatens to spread chaos across the country and across the world, undermining America's global reputation and making Americans less safe—especially the Executive order on immigrants and refugees.

The events of last night make that fact as clear as day. Our country's top lawyers think it is illegal, unconstitutional, and indefensible. An unprecedented number of senior nonpartisan State Department personnel—many of whom served under Republican administrations loyally and ably—signed

onto a letter of dissent, a memo of dissent, actually, arguing that the Executive order “will immediately sour relations with much of the Muslim world . . . [and] increase anti-American sentiment” from seven countries from which not a single refugee has ever committed an act of terrorism in America, not a single one.

Today, even more than yesterday and over the weekend, we have reason to overturn this Executive order. I urge my Republican colleagues to rethink their position, to join us on Senator FEINSTEIN’s bill to rescind the order. Then we can actually get to work, actually protecting our country with a smart, thoughtful, and effective policy against terrorism—not with what seems good on a tweet.

I asked a unanimous consent request yesterday because this order is so bad for our safety, for our security, for our troops, for our country, and for the moral leadership that we have always held. There is even a greater need today because we saw what Sally Yates said and the President’s actions.

The need to rescind this order is even greater today than it was yesterday, so I am pleading with my colleagues. I know many of you have doubts about this order. You have expressed them. Let’s rescind it and really get to work on tightening up our laws and making America safe from terrorists.

#### UNANIMOUS CONSENT REQUEST—S. 240

Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Senator FEINSTEIN’s bill, S. 240; that there be 2 hours of debate equally divided; and that upon the use or yielding back of time, the bill be considered read a third time and the Senate proceed to vote on passage of the bill; finally, that there be no amendments, motions, or points of order in order to the bill.

The ACTING PRESIDENT pro tempore. Is there objection?

The Senator from Arkansas.

Mr. COTTON. Reserving the right to object, I feel like Yogi Berra when he said “It’s *deja vu* all over again.”

Just 18 hours ago, the Senator from New York and I stood here, and he made the exact same request, and I objected to it. And I will object again. I will object tomorrow, and I will object for as long as he wants to make these requests.

I will point out, though, that the business of the people is not being done. For all of you up there in the Gallery, we just started 20 minutes ago. That is the regular order under which the Senate starts when it can’t reach agreement on when to start earlier. We typically would start around 9:30 or 10, but the Democrats refused to allow us to come in earlier today to start processing some of the President’s nominations.

You may have heard on TV that Democrats on the Finance Committee have boycotted their hearing this morning. They refused to show up to do their job to confirm some of the President’s nominees.

I don’t know how long they plan to do this. I don’t know if they intend to abscond out of the district, if we are going to have to vote to have the Sergeant at Arms track them down and haul them into work to do their business. I see him standing right over there. He has a distinguished record in military and law enforcement. He could probably do that effectively.

I wish, though, that they would simply show up and have a debate and do their work and confirm the President’s nominees in an orderly process.

The Senator from New York mentioned State Department officials who had left work last week. Well, there is a simple solution for getting political accountability at the State Department, and that is for this body to confirm Rex Tillerson to be the Secretary of State.

Finally, I just want to make a few points about Ms. Yates’s firing last night, since that is the only thing that has changed since the Senator from New York and I were on the floor yesterday.

Ms. Yates, in her letter about the President’s order, did not cite any provision of the Constitution, any Federal law that suggested the President’s order was unlawful or unconstitutional, nor could she because her own Office of Legal Counsel, which provides legal guidance for the executive branch, had already reviewed the order before it was issued for its form and its legality and had signed off on it. Her decision was a policy decision, which is not a decision of the Attorney General—certainly is not a decision of a holdover Acting Attorney General—to make.

She was grandstanding. She should have been relieved. I am glad the President relieved her.

The American people deserve to have a politically accountable Attorney General to make these decisions, which we would have, yet again I say, if the Democrats would simply do their job and process these nominees in an orderly fashion.

So, as I said, on behalf of the Republican Conference, I object. I will object tomorrow. I will object for as long as we make these frivolous, dilatory requests.

The PRESIDING OFFICER (Mr. CRUZ). Objection is heard.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the nomination of Elaine Chao to be Secretary of Transportation, which the clerk will report.

The senior assistant legislative clerk read the nomination of Elaine L. Chao, of Kentucky, to be Secretary of Transportation.

The PRESIDING OFFICER. Under the previous order, there will now be 20 minutes of debate, equally divided in the usual form.

The Senator from South Dakota.

Mr. THUNE. Mr. President, I have sought recognition to speak in support of Secretary Elaine Chao to be the Secretary of Transportation.

It would be hard to come up with a more qualified nominee than Secretary Chao for this important role. In addition to serving for 8 years as the U.S. Secretary of Labor, Secretary Chao has also served as the Deputy Secretary of the Department that she has now been tapped to lead. Her extensive experience also includes the United Way of America, the Peace Corps, and the Federal Maritime Commission.

The Commerce, Science, and Transportation Committee, which I am honored to chair, held a hearing on Secretary Chao’s nomination on January 11 of this year. To no one’s surprise, she demonstrated her experience, her thoughtfulness, and her commitment to working collaboratively with Congress on the challenges facing our transportation system.

Last week, the Commerce Committee acted by voice vote to report her nomination favorably to the floor, and I am hopeful that the Senate will confirm her overwhelmingly today.

The agency Secretary Chao has been nominated to lead plays a vital role in facilitating and promoting the safe and efficient movement of goods and people throughout the country and around the world.

Our economy is truly dependent upon a thriving transportation sector. Without a robust and efficient transportation sector, rural States like mine would be unable to get their goods to the market.

Increasing the capacity and the efficiency of our Nation’s highways, rail lines, pipelines, and ports is crucial and will have to be a top priority for the next Secretary of Transportation.

A continued focus on safety must also be a top priority for the next Secretary. While our Nation’s pipelines, railroads, airways, and highways have a strong record of safety, improvements can and should be made. Many of the strong safety improvements the Commerce Committee advanced as part of the FAST Act and the PIPES Act last Congress are yet to be implemented, and we will expect our next Secretary of Transportation to work with us to ensure speedy implementation.

We will also have the opportunity to collaborate on safety improvements when we revisit the authorization of the Federal Aviation Administration later this year. The next Secretary of Transportation will also have a unique opportunity to show Federal leadership in the advancement of transportation innovation. V2V technology, autonomous vehicles, and unmanned aircraft systems, to name a few, have great promise to promote safety, improve efficiency, and spur economic growth in this country.

Secretary Chao will have a momentous opportunity to transform America's transportation network by promoting safety and innovation, growing our Nation's freight network, advancing needed improvements to our infrastructure, and ensuring that all users—both rural and urban—benefit equally.

Secretary Chao has consistently proved her willingness to roll up her sleeves and address the challenges facing our Nation. That is why I look forward to her confirmation as the next Secretary of Transportation, and I urge my colleagues to support her nomination.

I see my colleague from Florida, the distinguished ranking member on our committee, Senator NELSON, is here. He also participated, as did members on both sides. Frankly, I think every member of our committee, both Republicans and Democrats, had an opportunity to ask questions of Secretary Chao when she was in front of our committee.

As I said before, she has been carefully vetted, thoroughly vetted through so many different positions that she has held throughout previous administrations.

I certainly welcome the opportunity to work with her, as I know my colleague from Florida does, in meeting the transportation challenges that our Nation has as we move into the future.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I would echo what our chairman, Senator THUNE, has said about Elaine Chao. She certainly has the qualifications to be our next Secretary of Transportation. Clearly, she is a part of the Senate family; as the spouse of the majority leader, we know her well—and her government experience as the previous Secretary of Labor and Deputy Secretary of Transportation. The Office of Government Ethics, which is the independent agency that vets the nominees, has certified that she is in compliance with all the laws and regulations governing conflicts of interest.

This Senator intends to vote for her confirmation, as I did in the committee.

Since the Senator from Arkansas, in his objection to the unanimous consent request of the Democratic leader, made note of the absence of Democratic members from the Finance Committee markup of a couple of the Cabinet nominees, I want to bring to the attention of my colleagues that indeed, there was new information that came to light overnight in a publication in the Wall Street Journal of additional information about the nominee for the Department of HHS, which needs to be cleared up before the committee proceeds. So I wanted to put that on the record and make clear one of the reasons that the Finance Committee members objected to proceeding.

I think it interesting also that this Senator, as the ranking member of the

Commerce Committee, had some additional questions for Secretary Chao—not questions in any kind of defensive or offensive way but additional information. Those questions were proffered Sunday night or early Monday morning. This Senator, not having heard all day from Secretary Chao, called Secretary Chao. She promptly returned the call last evening, and, lo and behold, the transition team for the Secretary of Transportation had not even given her the questions.

One of the questions that this Senator had for Secretary Chao was this: Given the chaos in the airports over the weekend, was she as Secretary of Transportation concerned about the orderly administration of those airports when such an unusual order had come down? In addition, what about the lost tickets on getting refunds for passengers and what about the changing of flight crews that might cause extra expenses? These are all items that a Secretary of Transportation would be concerned with going forward. What I found out in conversation was that the nominee to be Secretary of Transportation had not been consulted by the White House—not in advance, during, or after the implementation of those orders having to do with the entry into the United States of refugees and other immigrants.

I think we need Secretary Chao as someone who has the experience, who has common sense, and will be in a position to offer level-headed, good, experienced-based advice to the government going forward. It is just the latest example of some of the fallout from this weekend's activities.

I recommend to our Senators that we approve the nomination of Secretary Chao, and I hope that upon her confirmation today by the Senate, she will be sworn in forthwith.

I yield the floor.

Mr. LEAHY. Mr. President, today, the Senate considers the nomination of Elaine Chao to be the Secretary of Transportation. Ms. Chao has served in a number of roles in both the public and private sectors throughout her career, ultimately serving as the Secretary of Labor during the administration of George W. Bush. I look forward to working with Secretary Chao as we find solutions to modernize and grow our country's crumbling infrastructure.

We can all agree that investment in our country's transportation infrastructure means safe bridges, paved roads, completed railways, and expanded airports. We can also all support innovative approaches to meeting these needs while guarding public health and environmental protections. With a long-term vision, Congress is not only repaving roads, but it is investing in the future of our vibrant communities. In a rural State like Vermont, it is essential that rural communities have the transportation options they need to access basic things like grocery stores, doctors' of-

fices, schools and churches, and banks. These investments are essential to connecting rural America to the economic opportunities they need for success.

The importance of this connection was made clear in Vermont after the devastation of Tropical Storm Irene in 2011. Entire communities were isolated for days and weeks after the storm until temporary bridges and roads were able to reconnect us. It was because of substantial Federal and State commitments that Vermont rebuilt and improved our dams, roads, wastewater facilities, and rail lines across our State. As disruptive as the storm was to the rhythm of our everyday lives, it provided Vermont an opportunity to assess our State's vulnerabilities and to invest in upgrades. But it should not take a category 4 storm to allow a State the opportunity to improve its transportation services.

That is why I was encouraged by the Obama administration's continued investment in programs that were formed as a response to the financial crisis of 2008. The Transportation Investment Generating Economic Recovery, TIGER, grant program is providing funding to States for multimodal programs not considered under traditional transportation programs. Vermont has received several grants through this program. Under Secretary Foxx's leadership, there has also been a renewed focus on transit investment, not only in facilities, but in technology. Vermont has relied on these programs to enhance our services for the elderly and disabled, as well as to launch new programs like Green Mountain Transit's mobile phone application that delivers bus arrival times and schedule information. Finally, Vermont has 12 State-owned airports that continue to contribute to Vermont's economic engine. If not for the commitment to rural airport investment, Vermont would not have been able to fund our airports' expansions and improvements necessary to grow and add to our State's commerce and tourism.

America is starving for infrastructure investment. I hope that Secretary Chao will work with Congress to establish a long-term investment plan that propels our transportation infrastructure and technology in both urban and rural areas into the 21 Century.

Mr. INHOFE. Mr. President, I rise today in strong support of the Honorable Elaine Chao to serve as the next Secretary of Transportation. She has proven she has the experience and the drive to help her accomplish President Trump's goals to address our nation's infrastructure needs heads on. I have known Elaine for many decades as a dedicated civil servant and a talented negotiator and have no doubt she will again prove to be a highly effective asset to the Executive branch. Elaine Chao was born in Taiwan and, at the age of 8, came with her family to America by cargo ship where, at the age of 19, she became a U.S. citizen.

From those humble beginnings, she went on to receive degrees from Mount Holyoke College in Massachusetts and Harvard Business School.

Elaine Chao began her executive career at the U.S. Department of Transportation in 1986, as Deputy Administrator of the Maritime Administration, then as Deputy Secretary from 1989 to 1991. She served as the Director of the Peace Corps, in 1991, where she brought the Peace Corp programs to the liberated countries of Latvia, Estonia, and Lithuania; and as president and CEO of the United Way of America where she helped restore fiscal responsibility to an organization that had been damaged by mismanagement.

In 2001, she became the 24th U.S. Secretary of Labor, the first Asian Pacific American woman to be appointed to the President's cabinet in American history, in President George W. Bush's cabinet. During her 8-year tenure at the Department of Labor, she proved she has the skills to manage large multifaceted organizations as well as to initiate needed reforms and new programs that help create jobs and competitiveness in the workforce. Quite frankly, she was the best Secretary of Labor the United States has ever had.

During her tenure, the Department updated the white collar overtime regulations under the Fair Labor Standards Act, which has been on the agenda of every administration since 1977. The most significant regulatory tort reform of President Bush's first term, the new regulations provided millions of low-wage vulnerable workers with strengthened overtime protection.

In 2003, under her leadership, the Department achieved the first major update of union financial disclosure regulations in more than 40 years, giving rank and file members enhanced information on how their hard-earned dues are spent. The Department set new worker protection enforcement records, including recovering record back wages for vulnerable low-wage immigrant workers. The Department also launched comprehensive reform of the Nation's publicly funded worker training programs, to better serve dislocated and unemployed workers.

I have complete confidence in her abilities and look forward to working with her in her new capacity as the 18th U.S. Secretary of Transportation.

Mr. VAN HOLLEN. Mr. President, I support the nomination of Elaine Chao to be Secretary of Transportation.

Ms. Chao has proven a capable manager. She has served in several administrations, including as Secretary of Labor and Deputy Secretary of Transportation. Her experience will serve the Transportation Department and the Cabinet well.

At the Department of Transportation, Ms. Chao will be responsible for implementing one of President Trump's most ambitious agenda items—a massive investment in infrastructure. During the campaign, Mr. Trump proposed to invest \$1 trillion to

rebuild infrastructure over the next decade. And on November 9, 2016, President-Elect Trump said, “We are going to fix our inner cities and rebuild our highways, bridges, tunnels, airports, schools, hospitals. We’re going to rebuild our infrastructure, which will become, by the way, second to none. And we will put millions of our people to work as we rebuild it.”

While we have received few details on the plan, I hope that Ms. Chao will work closely with Congress to identify needs within our States and invest broadly in roads, bridges, airports, rail, and transit. While I believe that public-private partnerships can be one avenue to drive transportation projects, we cannot rely on them to be the backbone of a transportation plan, as many communities would struggle to assemble the financing necessary to make such projects viable.

Our Nation's public infrastructure has historically been a bipartisan priority. It must remain so.

I appreciate Ms. Chao's commitment during her hearing to enforce the Davis-Bacon Act's requirement to pay fair wages to ensure that our Nation's construction jobs can sustain workers and their families. Commendably, Ms. Chao also emphasized her dedication to safety.

Maryland has a number of critical transportation priorities, including the Port of Baltimore, the MARC commuter rail, and increasingly congested highways like I-270 and I-81. We have also worked closely with the Federal Transit Administration on safety improvements to the Washington Metro, our Nation's subway, and have pushed for the creation of the Purple Line. I look forward to working with Secretary Chao to build a 21st century, multimodal transportation system that works for all of my constituents in Maryland.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, with respect to the pending Chao nomination, we yield back the remainder of our time so that we can proceed to the vote.

The PRESIDING OFFICER. Time is yielded back.

Mr. NELSON. Mr. President, we yield back our time as well.

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the Chao nomination?

Mr. GRASSLEY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. MCCONNELL (when his name was called). Present.

The result was announced—yeas 93, nays 6, as follows:

[Rollcall Vote No. 35 Ex.]

#### YEAS—93

Alexander	Fischer	Murphy
Baldwin	Flake	Murray
Barrasso	Franken	Nelson
Bennet	Gardner	Paul
Blumenthal	Graham	Perdue
Blunt	Grassley	Peters
Boozman	Harris	Portman
Brown	Hassan	Reed
Burr	Hatch	Risch
Cantwell	Heinrich	Roberts
Capito	Heitkamp	Rounds
Cardin	Heller	Rubio
Carper	Hirono	Sasse
Casey	Hoeven	Schatz
Cassidy	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johnson	Shaheen
Coons	Kaine	Shelby
Corker	Kennedy	Stabenow
Cornyn	King	Sullivan
Cortez Masto	Klobuchar	Tester
Cotton	Lankford	Thune
Crapo	Leahy	Tillis
Cruz	Lee	Toomey
Daines	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCain	Warner
Durbin	McCaskill	Whitehouse
Enzi	Menendez	Wicker
Ernst	Moran	Wyden
Feinstein	Murkowski	Young

#### NAYS—6

Booker	Merkley	Schumer
Gillibrand	Sanders	Warren

#### ANSWERED “PRESENT”—1

McConnell

The nomination was confirmed.

The PRESIDING OFFICER (Mr. HELLER). Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

The Senator from West Virginia.

#### ORDER OF PROCEDURE

Mrs. CAPITO. Mr. President, I ask unanimous consent that following disposition of the Chao nomination, the Senate resume consideration of the Tillerson nomination postcloture, and the Senate recess until 2 p.m., with the time during recess counting postcloture on the Tillerson nomination.

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

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the nomination of Rex W. Tillerson to be Secretary of State, which the clerk will report.

The senior assistant legislative clerk read the nomination of Rex W. Tillerson, of Texas, to be Secretary of State.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2 p.m.

Thereupon, the Senate, at 1:11 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

## EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The majority leader.

## UNANIMOUS CONSENT REQUEST—AUTHORITY FOR COMMITTEES TO MEET

Mr. McCONNELL. Mr. President, I have nine unanimous consent requests for committees to meet during today's session of the Senate. I ask unanimous consent that these requests be agreed to en bloc.

The PRESIDING OFFICER. Is there objection?

Mr. SCHUMER. I object, Mr. President.

The PRESIDING OFFICER. Objection is heard.

Mr. SCHUMER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business for up to 5 minutes.

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

## NOMINATIONS OF STEVEN MNUCHIN AND TOM PRICE

Mr. BROWN. Mr. President, I rise to discuss what happened in the Finance Committee today—or what didn't happen in the Finance Committee today. Two newspapers—one, the Columbus Dispatch, one of Ohio's best and most conservative newspapers, and the Wall Street Journal, one of this country's most conservative newspapers—reported that the two nominees in front of the Senate Finance Committee had lied to the committee. Treasury Secretary-Designee Mnuchin had lied when asked if his bank, OneWest, had done robo signings; he said no.

The Columbus Dispatch investigative reporters found, in fact, that they had done robo signings, and they found that dozens—probably hundreds, maybe thousands—of Ohioans lost their homes. A woman named Miss Duncan, who had paid her mortgage month after month, was doing everything right. She was foreclosed on—not anything of her doing—and her financial life was turned upside down.

The Wall Street Journal reported that Congressman PRICE, the designee for Health and Human Services, had lied about insider information he had. He had advantages that other investors didn't have in buying health care stocks as he sat on the health care committee in the House, as he voted, as he wrote amendments and bills dealing with health care.

These are nominees for agencies—the two most important economic agencies in the Federal Government, probably, at least in the Cabinet—who have lied about things that affect people's lives. It is hundreds of people—thousands,

maybe, in my State. We are not even the largest State on foreclosures caused by OneWest. Thousands, hundreds of thousands—who knows how many around the country, as he will not tell us yet—have lost homes because of his and his bank's actions, making him wealthier, to be sure, but upending people's lives in the cruelest kind of way when their homes are foreclosed on.

We are saying to Senator HATCH, the chairman of the Finance Committee: Get some answers here. Find out why these two nominees lied, and find out what they are going to do to fix it. Find out what they have in their back-grounds that they haven't disclosed to this committee.

We have no business voting on nominees before we have that kind of information. That is the reason that Democratic Senators of the Finance Committee, led by Ranking Member WYDEN, decided not to come to the committee to vote today—because it is the only way we can get Senator HATCH to bring those two forward to give us the information and to give the American public the information they need.

I might add that we probably did President Trump a favor today, because if these two nominees had been brought forward—and I assume confirmed, because Republicans are voting for every nominee, it seems, no matter what; I haven't seen a break from that yet—they may have come to the floor and have been confirmed, and there likely would have been a scandal early in the Trump Administration and in the Treasury Department and Health and Human Services Department—two incredibly important agencies.

I think that we, perhaps, in some sense, saved President Trump from himself and the damage that his nominees could do. I don't expect appreciation or thanks from the White House on this, but I do think this is an issue that should be taken care of before they head two of the most important and largest—if not largest, two of the most important—Federal agencies.

I yield back my time.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise to discuss why I intend to oppose the nomination of Rex Tillerson as the Secretary of State. This is not a decision that I make lightly. I have no doubt that Mr. Tillerson has been a successful businessman, managing one of America's largest corporations at ExxonMobil. Many have attested to his being a man of character who has given back to his community and, particularly, through his work with the Boy Scouts of America.

I have no reason to doubt that he does have the character and decency that we would applaud in any person. However, when the United States faces some of the most complex global challenges in a generation, this is not the time to appoint as our Nation's top diplomat someone who has no dem-

onstrated experience articulating and advocating for America's interests, values, and commitment to our allies and partners.

As the events of this past week make clear, we need a Secretary of State who will speak up and candidly tell the truth to the President when he acts contrary to who we are as a nation and harms our relations with our partners and our standing in the world. Without an effective voice at the State Department for America's best interests, both within the executive branch and outside our borders, we will continue to see this administration, I fear, take steps that undermine cooperation with our closest allies and neighbors, violate our values, and ultimately make our troops and citizens less safe. I am concerned that Mr. Tillerson will not be such a voice for the American people.

Throughout the confirmation process, Mr. Tillerson has repeatedly demonstrated either his lack of preparation or his unwillingness, perhaps, to specifically declare himself on key issues. In particular, I am concerned about his views on Russia, climate change, and immigration, and how he will influence a White House that already seems determined to pursue campaign promises regardless of the impact on American foreign policy.

On Russia, Mr. Tillerson has demonstrated a familiarity with Putin and the Russian Government that is deeply concerning. Mr. Tillerson has spent his professional life advancing the interests of ExxonMobil—indeed, almost to the exclusivity of any other purpose. That is of concern, and should be of concern to all of us.

Even as the United States was re-evaluating its relationship with Russia in recent years, Mr. Tillerson has deepened his personal relationship with Putin, to the point that the Russian President awarded Mr. Tillerson the Russian Order of Friendship in 2013, supposedly a very high honor for a non-Russian. It appears that Mr. Tillerson opposed U.S. sanctions against Russia after Russia's illegal annexation of Crimea in 2014 because his multinational corporation stood to lose very lucrative oil contracts if sanctions were put in place.

International sanctions against Russia, imposed by the United States and the European Union, have sent a clear and effective message to Russia that their invasion of Ukraine is unacceptable. These sanctions are absolutely critical to multilateral efforts to hold Russia to its commitments to end the violence in Ukraine and restore its sovereignty, consistent with the Minsk agreements. The Russians claimed that these are separatists, that these are Ukrainians rising up, but the truth is that this is Russian-inspired, Russian-directed, and at the behest of Putin.

Mr. Tillerson's wavering on Russian sanctions, however, could weaken the resolve of our European allies in maintaining these sanctions. It could encourage Putin in his efforts to cut a

deal for sanctions relief and cause our allies in the Baltics and elsewhere to question the U.S. and NATO commitment to their security. This ultimately will make us less safe.

On climate change, Mr. Tillerson's career up to this point has been marked by a disregard for the environment. Strong environmental policies, including coordinating global efforts to address climate change, are in the best interest of the American people and help fulfill our moral responsibility as stewards of the Earth for the next generation. That is why I have consistently supported limits on oil and gas exploration, bans on drilling in pristine areas, eliminating oil and gas tax subsidies and giveaways, increases in research into new sustainable energy technologies, and the negotiation of international climate treaties. Mr. Tillerson's time at ExxonMobil stands in stark contrast to these policy goals and makes me doubt whether, if approved, he would effectively protect our environment and work with our partners around the world to uphold our commitments as Secretary of State.

On immigration, I am concerned about whether Mr. Tillerson can be an effective advocate for policies that keep the American people safe while preserving our ties with key partners and upholding our values internationally.

President Trump's Executive order blocking immigrants from certain Muslim-majority nations is, in my view, unconstitutional, un-American, cruel to those fleeing danger and injustice, and ultimately makes us less secure. It ignores the horrific circumstances refugees are fleeing in numerous war-torn regions. It suggests the insertion of arbitrary religious and ethnic considerations and fails to account for the strict vetting procedures already in place for refugees, particularly from Syria and areas of conflict. It is also contrary to our history as a nation that, from its birth, has benefited from the contributions of hardworking and successful immigrants.

In particular, this Executive order is a betrayal of our commitment to those who risk their lives to serve as translators for our troops fighting in Iraq. Through the Special Immigrant Visa Program, we promised these brave Iraqis the opportunity to resettle in the United States in recognition of their invaluable contributions to our wartime missions. Yet this administration has effectively blocked these SIV Program recipients without a second thought.

In addition, the President's actions on immigration are making America less safe by undermining key relationships with allies and partners. The President's Executive order on immigration hands ISIS a self-inflicted propaganda victory that reinforces their claim that the United States is at war with all of Islam. It damages our diplomatic relationships with Muslim-

majority nations, whether on the list or not, by undermining their willingness and ability to cooperate with U.S. law enforcement and intelligence agencies in sharing information on potential terrorist attackers. It may also compel these countries to reciprocate by prohibiting Americans from entering their borders.

Just this morning in the Armed Services Committee, we heard from an eminent expert. She indicated to us that the Iraqi Parliament has already had a meeting and has essentially resolved to reciprocate by banning Americans from Iraq.

We have examples today of Iraqi pilots training in the United States so that they can go back and work with our military personnel to attack ISIS. Had their training been scheduled—

Mrs. MCCASKILL. Mr. President, will the Senator yield for a question?

Mr. REED. Yes, I will.

Mrs. MCCASKILL. It is my understanding that not only are we fighting shoulder to shoulder with Iraqis against ISIL, on the day these orders were signed, we had Iraqi pilots in the United States of America training to bomb ISIS. If they had come days after the signing of this order instead of days before, they would not have been allowed to enter the country for this important training; is that correct?

Mr. REED. The Senator from Missouri is absolutely correct. That is the point I was going to make, and she made it more distinctly and more decisively.

Mrs. MCCASKILL. Sorry. I heard you talking about Iraqis, and I wanted to make sure everyone in America understood that they were here training with our military to fight ISIS, and the President of the United States told them they were no longer welcome.

Mr. REED. This is something that has been ongoing for many years. I can recall visiting a training facility in Rhode Island—formerly Quonset Point Naval Air Station; now it is a National Guard station—where they were training Iraqi Air Force pilots to fly C-130J aircraft. Again, had this order been in effect, those pilots would not have been allowed in for the training that not only helps them but helps the thousands of American military personnel in Iraq, shoulder to shoulder, fighting together, depending on not just the presence but the confidence of the Iraqi military in the United States and that reciprocal mutual relationship. This measure sends a terrible signal to them saying: Go ahead and fight, but you won't get to the United States.

It is particularly the case I make with respect to these people who feel threatened because they helped us. We have a special visa program, but right now that is in limbo because we essentially said they can't come in, even though they risked their lives to protect our interests and the interests of their own country.

We are creating huge problems, and, again, I haven't heard the nominee

speak out decisively and clearly about the problems this policy is engendering, and that is incumbent upon the individual.

We have traditionally granted nominees broad deference out of respect for the President, and I don't think this is an issue of simply stopping a nominee for the sake of stopping a nominee. But we are not a rubberstamp either. We have to come here and make the case. When we see examples of behaviors that demonstrably threaten the security of the United States, our ability to cooperate with others, our image in the world, and we are not confident that our Secretary of State will not only reject those but effectively argue within and without that we have a higher purpose, a better goal, a better policy, then it is our obligation to stand and to render a vote of no, and I intend to do that.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

TRAVEL BAN

Mrs. MCCASKILL. Mr. President, I am going to make a couple of brief comments and then yield my hour of postcloture debate.

Let me just say that nothing the President did made us safer. And one of the most outrageous claims the President made was that we don't have extreme vetting.

The Presiding Officer and I both serve on the Homeland Security and Governmental Affairs Committee, and after we realized that we needed to take a closer look at refugees and making sure bad guys weren't getting into this country, we instituted an amazing array of vetting processes.

Let me first start with this important principle. Nobody applies to the United States for refugee status; they apply to the United Nations. Less than 1 percent of the people who apply for refugee status with the United Nations are granted the opportunity to go forward. So we start out with 99-plus percent of the people who apply to be a refugee turned down at the United Nations, so the less than 1 percent who come to us, come to us for another aggressive screening process. I went to Jordan and watched it. There are multiple interviews. It takes 18 months to 2 years. They are vetted through every possible intelligence agency, every possible database. And by the way, we check what they are saying even if they don't have papers. There are iris scans. It is the most extreme vet you can imagine. Of course, because it was so extreme, we realized that the hole in our system was not the refugees; it was, in fact, the Visa Waiver Program, which is why we passed a law after Paris to make sure that anybody who was in certain countries had to get a visa. Obama didn't do a travel ban. Obama never identified countries for a travel ban. All President Obama did was say: If you have been in these countries, you have to have a visa so we have information on you.



I wanted to clarify that because the misinformation that is coming out of the White House about what we currently have and what is in place is an insult. I wish they understood the vetting processes we have in place now for refugees; then maybe we could get back to really joining arms and trying to figure out what we can do for national security. One thing we need to do for national security is not give the back of our hand to the pilots and the other soldiers who are fighting shoulder to shoulder with us in Iraq against ISIS.

I yield the remainder of my hour of postclosure debate time under rule XXII to Senator SCHUMER.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Iowa.

REMEMBERING SARAH ROOT

Mrs. ERNST. Mr. President, I rise today on the 1-year anniversary of the tragic death of a fellow Iowan, Sarah Root. On January 31, 2016—the very same day as her college graduation—Sarah was killed by an illegal immigrant named Edwin Mejia, who was allegedly drag racing with a blood alcohol level more than three times the legal limit. Sadly, despite requests by local law enforcement, ICE failed to detain Mejia. He then posted bond, was released, and now a year later remains a fugitive, denying Sarah's loved ones any sense of closure or Justice.

As a mother and grandmother, I cannot fathom the grief her family and friends continue to feel after such a devastating loss. Just 21 years old, Sarah was bright, gifted, full of life, and ready to take on the world. Having just graduated from Bellevue University with a 4.0 grade point average, she was dedicated to her community and wanted to pursue a career in criminal justice. Sarah had a remarkably bright future ahead of her, but her opportunity to make a mark on the world was tragically cut short 1 year ago today. Yet, even in death, she touched the lives of others, saving six different individuals through organ donation. Although nothing can bring Sarah back to her family, we can ensure that ICE never makes that same mistake again.

I was encouraged to see the Trump administration take action toward addressing this issue last week by implementing parts of Sarah's Law—legislation I introduced with my Iowa and Nebraska colleagues in honor of Sarah. I remain committed to continuing to work with my colleagues to fulfill the promise I made to Sarah's loving parents: that I will do everything I can to ensure that no other parents have to go through what the Root family has faced.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Ms. HARRIS. I yield my hour of postclosure debate time under rule XXII to Senator CARDIN.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Nevada.

Ms. CORTEZ MASTO. Mr. President, I yield my hour of postclosure debate time under rule XXII to Senator CARDIN.

The PRESIDING OFFICER. The Senator has that right.

The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I yield my hour of postclosure debate time under rule XXII to Senator SCHUMER.

The PRESIDING OFFICER. The Senator has that right.

Ms. HASSAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CARDIN. Mr. President, I rise today as the Senate begins consideration of the nomination of Mr. Rex Tillerson to serve as the 69th Secretary of State of the United States of America. I thank Mr. Tillerson for his willingness to serve our Nation and for his participation in a lengthy, wide-ranging hearing before the Senate Foreign Relations Committee, where I have the honor of being the senior Democrat, the ranking Democrat on the committee.

Earlier today, I thanked Chairman CORKER for the courtesies he showed during the hearing process. However, as I stated yesterday, I remain concerned that Mr. Tillerson's demonstrated business orientation in his responses to questions during the confirmation hearing would prevent him from being a Secretary of State who forcefully promotes the values and ideals that have defined our country and our leading role in the world for more than 200 years. I, therefore, will not be supporting his nomination.

Given the events over the weekend, I believe it is important that I begin today's debate by painting a picture for the American people of the unstable, reckless foreign policy that Mr. Tillerson is going to be asked to carry out under President Trump. It is painfully obvious that when the President says "America first," the cumulative result of his vision would actually lead to America alone and America at risk.

From time to time, in our Nation's history, we have heard the calls of isolationism, but isolationism did not work then and it will not work now. It is an approach that our history has taught us, time and time again, undermines our interests, makes us vulnerable to those who wish us harm, betrays our values, and leaves us less secure and less prosperous.

America's leadership, rooted in our values, makes the world a better place for all, but the first 10 days of the Trump administration shows that the President is intent on compromising our values, abandoning our allies, and

using a sledgehammer instead of a scalpel to conduct the detailed, careful work of safeguarding our Nation. Some of his supporters chalk it up to inexperience. My own chairman has said on numerous occasions that he wishes the President had more flushed-out ideas on foreign policy space.

What the American people witnessed in the last 10 days goes beyond inexperience. There is a willful, dangerous campaign underway by forces in this administration to bend or potentially even break the law. More than ever, we need to reaffirm and adhere to the values that make our country so strong and so stable, the city on the hill that others look to for leadership.

In order to do that, we need leaders who will not shy away from our values, who will sound a certain trumpet for human rights, the rule of law, and bedrock American values.

Mr. Tillerson's timid equivocation on American values throughout his confirmation process, his trumpet's uncertain sound was alarming because he will be working for a President clearly willing to compromise America's values at every turn. There are many individuals who have served in both Republican and Democratic administrations who recognize this Executive order for what it is.

I have in my hand a letter from over 100 former Cabinet Secretaries, senior government officials, diplomats, military servicemembers, and intelligence community professionals who have served in the Bush and Obama administrations. The letter, to the heads of the Departments of Homeland Security, Justice, and State, expresses deep concern that the Executive order issued over the weekend jeopardizes tens of thousands of lives, has caused a crisis here in America, and will do long-term damage to our national security.

It strongly recommends the President rescind this order. I ask unanimous consent that this letter be printed in the RECORD. There being no objection, the material was ordered to be printed in the RECORD, as follows:

January 30, 2017.

Hon. JOHN F. KELLY,  
*Secretary, Department of Homeland Security,*  
*Washington, DC.*

Hon. SALLY YATES,  
*Acting Attorney General,*  
*Department of Justice,*  
*Washington, DC.*

Hon. THOMAS A. SHANNON,  
*Acting Secretary, Department of State,*  
*Washington, DC.*

SECRETARY KELLY, ACTING ATTORNEY GENERAL YATES, ACTING SECRETARY SHANNON: As former cabinet Secretaries, senior government officials, diplomats, military service members and intelligence community professionals who have served in the Bush and Obama administrations, we, the undersigned, have worked for many years to make America strong and our homeland secure. Therefore, we are writing to you to express our deep concern with President Trump's recent Executive Order directed at the immigration system, refugees and visitors to this country. This Order not only jeopardizes tens of



thousands of lives, it has caused a crisis right here in America and will do long-term damage to our national security.

In the middle of the night, just as we were beginning our nation's commemoration of the Holocaust, dozens of refugees onboard flights to the United States and thousands of visitors were swept up in an Order of unprecedented scope, apparently with little to no oversight or input from national security professionals.

Individuals, who have passed through multiple rounds of robust security vetting, including just before their departure, were detained, some reportedly without access to lawyers, right here in U.S. airports. They include not only women and children whose lives have been upended by actual radical terrorists, but brave individuals who put their own lives on the line and worked side-by-side with our men and women in uniform in Iraq now fighting against ISIL. Now, because of actions taken by this White House, their lives have been disrupted and they may even be in greater danger if they are sent home. Many more thousands going through the process will now be left behind. More broadly, tens of thousands of other travelers, including dual citizens and, at one point, legal U.S. residents face deep uncertainty about whether they may even travel to the United States or risk leaving and being barred reentry.

Many of us have worked for years to keep America safe from terrorists. Many of us were on the job working for our country on 9/11 and need no reminder just how vital it is to destroy terrorist networks and bring partners to our side in that global effort. Simply put, this Order will harm our national security. Partner countries in Europe and the Middle East, on whom we rely for vital counterterrorism cooperation, are already objecting to this action and distancing themselves from the United States, shredding years of effort to bring them closer to us. Moreover, because the Order discriminates against Muslim travelers and immigrants, it has already sent exactly the wrong message to the Muslim community here at home and all over the world: that the U.S. government is at war with them based on their religion. We may even endanger Christian communities, by handing ISIL a recruiting tool and propaganda victory that spreads their horrific message that the United States is engaged in a religious war. We need to take every step we can to counter violent extremism, not to feed into it by fueling ISIL propaganda.

Perhaps the most tragic irony of this episode is that it is unnecessary. We do not need to turn America into a fortress to keep it secure. Since the 9/11 attacks, the United States has developed a rigorous system of security vetting, leveraging the full capabilities of the law enforcement and intelligence communities. This vetting is applied to travelers not once, but multiple times. Refugees receive even further scrutiny. In fact, successive administrations have worked to improve this vetting on a near continuous basis, through robust information sharing and data integration to identify potential terrorists. Since 9/11 not a single major terrorist attack has been perpetrated by travelers from the countries named in the Order.

The suddenness of this Order is also troubling. The fact that individuals cleared for admission were literally in the air as the Order went into effect speaks to the haste with which it was developed and implemented. We are concerned that this Order received little, if any scrutiny by the Departments of State, Justice, and Homeland Security or the Intelligence Community. Now that some of these individuals are here in the United States, and thousands of others

are stranded, our government's response has appeared disorganized and chaotic. As lawyers take steps to protect their clients who have been detained here or stranded at many other airports, the U.S. government will continue to face a flurry of legal challenges, which could have been avoided. Additionally, by banning travel by individuals cooperating against ISIL, we risk placing our military and diplomatic efforts at risk by sending a clear message to those citizens and all Muslims that the United States does not have their backs. Already, the international push-back has been immense, and threatens to jeopardize critical counterterrorism cooperation.

Fortunately, there is a way out of this self-made crisis. We know that your agencies did not create this situation and we particularly respect that many of you are working to mitigate its damage. Effective immediately, you can apply the discretion given to you under the President's Order to admit into the country the men, women and children who are currently still stranded in airports. The process for doing this is well known to the security professionals within your departments. We urge you to execute it. While it is good to see the withdrawal of the application of the Order to legal permanent residents of the United States, your Departments can immediately work to allow other classes of people into the country, and remove the discriminatory prioritization implicit within the Order. Most critically, we urge you to draw on the insight of the professionals in your departments to recommend that the President revisit and rescind this Order. Blanket bans of certain countries or classes of people is inhumane, unnecessary and counterproductive from a security standpoint, and beneath the dignity of our great nation.

Dr. Madeleine K. Albright, Former Secretary of State; Janet Napolitano, Former Secretary of the Department of Homeland Security; Susan Rice, Former National Security Advisor to the President of the United States; Dennis Blair, Former Director of National Intelligence, Admiral, USN, Retired; Michael Hayden, Former Director, Central Intelligence Agency; Samantha Power, Former United States Ambassador to the United Nations; Bill Richardson, Former Governor of New Mexico and United States Ambassador to the United Nations; Tony Blinken, Former Deputy Secretary of State; William Burns, Former Deputy Secretary of State; Bruce Andrews, Former Deputy Secretary of Commerce; Richard Clarke, Former National Coordinator for Security, Infrastructure Protection and Counterterrorism for the United States; Rudy DeLeon, Former Deputy Secretary of Defense.

Heather Higginbottom, Former Deputy Secretary of State for Management and Resources; Thomas Nides, Former Deputy Secretary of State for Management and Resources; James Steinberg, Former Deputy Secretary of State; Michael Morrell, Former Acting Director, Central Intelligence Agency; Matthew Olsen, Former Director of the National Counterterrorism Center; Rand Beers, Former Acting Secretary of the Department of Homeland Security; John B. Bellinger III, Former Legal Advisor to the Department of State.

Ambassador (ret.) Nicholas Burns, Former Under Secretary of State for Political Affairs; Elliott Cohen, Former Counselor, Department of State; Michele Flournoy, Former Undersecretary of Defense for Policy; Marcel Lettre, Former Undersecretary of Defense for Intelligence; James Miller, Former Undersecretary of Defense for Policy; Wendy Sherman, Former Under Secretary of State for Political Affairs; Suzanne Spaulding, Former Undersecretary for Na-

tional Protection and Programs, Department of Homeland Security; Michael G. Vickers, Former Undersecretary of Defense for Intelligence; Tara Sonenshine, Former Under Secretary of State for Public Diplomacy and Public Affairs.

Clara Adams-Ender, Brigadier General, USA, Retired; Ricardo Aponte, Brigadier General, USAF, Retired; Alyssa Ayres, Former Deputy Assistant Secretary of State for South Asia; Donna Barbisch, Major General, USA, Retired; Jamie Barnett, Rear Admiral, USN, Retired; Jeremy Bash, Former Chief of Staff, Department of Defense; Daniel Benjamin, Former Coordinator for Counterterrorism, Department of State; Charles Blanchard, Former General Counsel, United States Air Force; Janet Blanc, Former Deputy Special Representative to Afghanistan and Pakistan; Barbara Bodine, Former United States Ambassador to Yemen; Richard Boucher, Former Assistant Secretary of State for South and Central Asian Affairs, Mike Breen, Retired United States Army Officer; John G. Castellaw, Lieutenant General, USMC, Retired; Wendy Chamberlin, Former United States Ambassador to Pakistan.

Derek Chollet, Former Assistant Secretary of Defense for International Security Affairs; Christopher Cole, Rear Admiral, USN, Retired; Bathsheba Crocker, Former Assistant Secretary of State for International Organization Affairs; Abe Denmark, Deputy Assistant Secretary of Defense for East Asia; Paul Eaton, Major General, USA, Retired; Mari K. Eder, Major General, Retired, USA; Dwayne Edwards, Brigadier General, USA, Retired; Robert Einhorn, Former Assistant Secretary of State for Nonproliferation; Evelyn Farkas, Former Deputy Assistant Secretary of Defense for Russia, Ukraine, Eurasia; Gerald M. Feierstein, Former United States Ambassador to Yemen; Daniel Feldman, Former Special Representative to Afghanistan and Pakistan.

Jose W. Fernandez, Former Assistant Secretary of State for Economic, Energy, and Business Affairs; Jonathan Finer, Former Director of Policy Planning, Department of State; Robert Glace, Brigadier General, USA, Retired; Philip Gordon, Former Special Assistant to the President and White House Coordinator for the Middle East, North Africa, and the Persian Gulf Region; Kevin P. Green, Vice Admiral, USN, Retired; Caitlin Hayden, Former National Security Council Spokesperson; Richard S. Haddad, Major General, USAF, Retired; Gretchen Herbert, Rear Admiral, USN, Retired; Mark Hertling, Lieutenant General, USA, Retired; Christopher P. Hill, Former United States Ambassador to Iraq; David Irvine, Brigadier General, USA, Retired; Arlee D. Jameson, Lieutenant General, USAF, Retired; Deborah Jones, Former United States Ambassador to Libya; Colin Kahl, Former National Security Advisor to the Vice President of the United States; Claudia Kennedy, Lieutenant General, USA, Retired.

Gil Kerlikowske, Former Commissioner, United States Customs and Border Protection; Charles Kupchan, Former Special Assistant to the President for National Security Affairs; Jonathan Lee, Former Deputy Chief of Staff, Department of Homeland Security; George Little, Former Assistant Secretary of Defense for Public Affairs; Donald E. Loranger Jr., Major General, USAF, Retired; Kelly Magsamen, Former Principal Deputy Assistant Secretary of Defense for Asian and Pacific Security Affairs; Randy Manner, Major General, USA, Retired; Thomas Malinowski, Former Assistant Secretary of State for Democracy, Human Rights, and Labor; Brian McKeon, Former Acting Undersecretary of Defense for Policy.

Philip McNamara, Former Assistant Secretary for Partnerships and Engagement, Department of Homeland Security; John G. Morgan, Lieutenant General, USA, Retired; Suzanne Nossel, Former Deputy Assistant Secretary of State for International Organizations Affairs; James C. O'Brien, Former Special Envoy for Hostage Recovery; Eric Olson, Major General, USA, Retired; Rick Olson, Former Special Representative to Afghanistan and Pakistan; W. Robert Pearson, Former United States Ambassador to Turkey; Glenn Phillips, Rear Admiral, USN, Retired; Gale Pollock, Major General, USA, Retired; Amy Pope, Former Deputy Assistant to the President for National Security Affairs; Steve Pomper, Former Special Assistant to the President for National Security Affairs.

Michael Posner, Former Assistant Secretary of State for Democracy, Human Rights and Labor; Anne C. Richard, Former Assistant Secretary of State, Population, Refugees & Migration; Leon Rodriguez, Former Director, U.S. Citizenship and Immigration Services; Laura Rosenberger, Former Chief of Staff to the Deputy Secretary of State; Tommy Ross, Former Deputy Assistant Secretary of Defense for Security Cooperation; John M. Schuster, Brigadier General, USA, Retired; Eric Schwartz, Former Assistant Secretary of State for Population, Refugees, and Migration; Stephen A. Seche, Former United States Ambassador to Yemen; Robert Silvers, Former Assistant Secretary for Cyber Policy, Department of Homeland Security; Vikram Singh, Former Deputy Assistant Secretary of Defense for South and Southeast Asia; Elissa Slotkin, Former Acting Assistant Secretary of Defense for International Security Affairs; Jeffrey Smith, Former General Counsel, Central Intelligence Agency; Julianne "Julie" Smith, Former Deputy National Security Advisor to the Vice President of the United States; Michael Smith, Rear Admiral, USN, Retired.

Matthew Spence, Former Deputy Assistant Secretary of Defense for Middle East Policy; Andrew W. Steinfeld, Former Senior Foreign Policy Advisor to the Chairman of the Joint Chiefs of Staff; Seth M.M. Stodder, Former Assistant Secretary of Homeland Security for Border, Immigration & Trade Policy; Jake Sullivan, Former National Security Advisor to the Vice President of the United States; Loree Sutton, Brigadier General, USA, Retired; Antonio Taguba, Major General, USA, Retired; Jim Townsend, Deputy Assistant Secretary of Defense for European and NATO Policy; David Wade, Former Chief of Staff, Department of State; George H. Walls, Brigadier General, USMC, Retired; William Wechsler, Former Deputy Assistant Secretary of Defense for Counterterrorism and Special Operations.

Catherine Wiesner, Former Deputy Assistant Secretary, Bureau of Population, Refugees, and Migration; Willie Williams, Lieutenant General, USMC, Retired; Johnnie E. Wilson, General, USA, Retired; Tamara Cofman Wittes, Former Deputy Assistant Secretary of State; Moira Whelan, Former Deputy Assistant Secretary of State for Public Affairs; Jon Brook Wolfsthal, Former Special Assistant to the President for National Security Affairs; Lee Wolosky, Former Special Envoy for Guantanamo Closure; Stephen N. Xenakis, M.D., Brigadier General, USA, Retired.

Mr. CARDIN. Mr. Tillerson needs to answer whether he supports Mr. Trump's decision this weekend to ban Muslims, to keep green card holders out of the country, and state his view on the chaos that ensued from the terrible implementation of this terrible

policy. We asked Mr. Tillerson during the confirmation hearing whether he supported a Muslim ban. He would not give us a clear answer, and he did not speak out against an unconstitutional Muslim ban.

Just today, I have sent a letter, as the ranking Democrat on the Senate Foreign Relations Committee, to Mr. Tillerson asking his specific views on the President's Executive order, what impacts that will have on America's credibility, what impact that will have on America's ability to work with our strategic partners around the world. I hope he will respond to us so we know his views on the President's Executive order before we are called upon to vote on his nomination.

I ask unanimous consent that a copy of that letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
Washington, DC, January 31, 2017.

Mr. REX TILLERSON,  
CEO, Exxon Mobil Corporation,  
Irving, TX.

DEAR MR. TILLERSON: As the Senate Foreign Relations Committee and the full Senate consider your nomination to serve as Secretary of State, I write to seek your views about the Executive Order, "Protecting the Nation from Foreign Terrorist Entry into the United States," signed by President Trump on January 27, 2017. I am concerned that the text of the Executive Order and its haphazard implementation over the weekend run counter to our American values and the U.S. Constitution, as well as our national security and economic interests.

Do you support the Executive Order's indefinite denial of entry to Syrian refugees and the 120-day suspension of the entire U.S. Refugee Resettlement Program, which impacts 20,000 refugees and will, in practice, grind all refugee processing to a halt for many months?

Do you agree with President Trump's assertion that our country should give preference to Christians seeking to obtain visas or admission to the U.S.? If so, do you think this action is consistent with our nation's bedrock principles of liberty and religious freedom?

What process would you support to identify an individual's religion prior to receiving a visa, admission, or other immigration benefit?

In your view, what message does barring individuals that have served our military in Iraq send to our partners abroad? Does that policy harm our national security and bilateral relationships?

Given this order's deliberate targeting of certain countries and disproportionate impact on Muslims, what will be the implications for our relationships with foreign countries that are predominantly Muslim? Do you think this order give fodder to ISIL's recruitment efforts in framing the U.S. war against terrorism as really a war on Islam?

I urge you to be forthright and thorough in your answers. Many thanks for your cooperation on this matter.

Sincerely,

BENJAMIN L. CARDIN,  
United States Senator.

Mr. CARDIN. Mr. President, it remains to be seen whether Mr. Tillerson has the moral compass necessary to

counsel the President toward a coherent U.S. foreign policy that advances our national security and embraces our values and ideals or if he will be another yes-man, enabling the risky, chaotic whims of a demagogue President, who is leading us on a march of folly.

The American people deserve to know because if the last 10 days are any indication, the Trump administration is on a track to be the most dangerous and divisive in history. Nothing so painfully illustrates that point as Friday's Executive order banning refugees and certain Muslim immigrants from entering the United States. As a citizen of this great Nation, I am deeply offended by and ashamed of the President's Executive actions.

When the news of this developed over the weekend, I happened to be attending a family wedding in the Miami area, a city rich in its immigrant character and its welcoming nature to people of many faiths and backgrounds.

Miami was also the city where one of the most shameful episodes in our history transpired, where in 1993, the *St. Louis*, filled with Jewish refugees trying to flee the horrors of Nazi Germany waited for days, seeing the lights of the city ashore, seeking shelter and refuge. Shamefully, we turned the *St. Louis* away and condemned many of its passengers to death in the Holocaust.

We say never again. Yet fear and uncertainty was palatable this weekend in Miami and across the country. I have heard from constituents who were temporarily detained and arrested or whose loved ones had scheduled legal travel to the United States but were unsure if they should board their planes for fear of being arrested or turned around once they arrived.

I am aware of students studying legally here in the United States who suddenly found their entire future in jeopardy because of their nationality. Maryland is proud to host world-class universities like Johns Hopkins and the University of Maryland, colleges that are enriched by the contributions and perspectives of foreign citizens.

Permanent legal residents who endured a lengthy process to acquire their green card and make the United States their home were suddenly unsure if they belonged. I was particularly troubled when two Iraqi citizens, who have played critical roles in supporting America's forces in Iraq, and were traveling on valid visas, were denied entry into New York. What do they get for helping our brave men and women with translation and security services? A big ugly "Not Welcome" sign at JFK Airport. Adding insult to injury, their immediate families were already here in the United States.

The cumulative effect of this Executive order is enough to make your stomach churn because what President Trump tried to do was legalize discrimination based on religion and nationality. As President Trump said, giving preference to Christians is going to be OK. As Trump adviser Rudy

Giuliani said, this is a way to legalize a Muslim ban.

So I was relieved when Federal judge Ann Donnelly issued a stay on Saturday evening to stop the madness, at least temporarily. Other judges around the Nation acted accordingly as well, affirming certain rights of green card holders and legal permanent residents, but too many innocent people remain in limbo. My staff's communications with Cabinet agencies over the weekend were extremely troubling. The left hand did not know what the right hand was doing in the Trump administration. In the zeal to play politics and inflame the fears of Americans who feel threatened, the White House revealed how little they knew or cared about governing.

It was reported that Secretary Kelly did not have a proper opportunity to view the Executive order before it was issued, a sobering lesson I hope Mr. Tillerson has paid close attention to. The Department of Homeland Security has now belatedly begun to engage on issuing guidance, but I fear the damage has been done.

Clearly, the Department of Justice was not part of developing the Executive order, as Acting Attorney General Sally Yates said, boldly, that she was not convinced that the Executive order was lawful. As a result, President Trump fired her—the Monday night massacre. Our voice must be loud and clear. Mr. Trump, this is our country, a country that stands for the highest principles, supported by the rule of law.

If Ms. Yates' firing is any indication as to how President Trump will handle different views, our Democratic institutions of checks and balances will indeed be challenged. The White House Press Secretary, Sean Spicer, said that foreign service officers using the dissent channel to express their views on the immigration Executive order should "either get with the program or they can go."

The dissent channel was set up during the Vietnam war as a way for foreign service officers and civil servants to raise concerns with upper management about the direction of U.S. foreign policy without fear of retribution. It is for "consideration of responsible, dissenting and alternative views on substantive foreign policy issues that cannot be communicated in a full and timely manner through regular operating channels or procedures."

This process for the use of dissent channels was codified in the Foreign Affairs Manual in 1971, which dictates that dissent cables are sent to the Departments' policy planning directors who distribute them to the Secretary of State and other top officials who must respond within 30 to 60 days. There are typically about four or five each year. Freedom from reprisal from dissent user channels is strictly enforced, but the President's Press Secretary said they can go.

What type of free discussion do we want to have in this country? Where

are the checks and balances? Where is the willingness to listen to different views?

The President also put a 4-month freeze in place on all refugees entering the United States, singling out refugees from certain Muslim-majority countries for extra screening, failing to acknowledge or speak about the thorough 18- to 24-month screening process that refugees from dangerous countries, such as Iraq and Syria, already endure before they come to our Nation. We have the toughest screening now. I am not sure what the President is talking about when he says additional screening. We already have the toughest screening. They already go through the United Nations. They are already interviewed. Their background is checked.

Moving forward, the number of refugees entering the United States will fall by 50 percent. It is clear that the President of the United States has a fundamental misunderstanding of America's leading role on refugee resettlement. Today, I will meet with King Abdallah of Jordan, a nation that has accepted 650,000 Syrian refugees. And President Trump is holding our program to accept approximately 10,000 Syrian refugees, placing it on hold.

Jordan is one of America's global partners in fighting extremism. It will be interesting to see the reactions we get from our partners.

If we close our doors to refugees, we will not only close our doors to U.S. humanitarian values but also severely damage America's global credibility on universal values.

The United States is a nation of immigrants and refugees from all and no faiths. We learned from our mistake with the *St. Louis*, and we are the Nation that received refugees from the Holocaust after the Second World War. We are the Nation that opened our doors to hundreds of thousands of citizens fleeing conflicts and political oppression in El Salvador, Cuba, Vietnam, and Cambodia.

The United States must continue to lead by example, but President Trump's cruel Executive order on immigrants and refugees undermines our core values and traditions, threatens our national security, and demonstrates a complete lack of understanding of our strict vetting process—the most thorough in the world. It is a dangerous and shortsighted policy that erodes our moral leadership and harms our national security as well as our alliances and partnerships worldwide.

This is not the kind of America that Americans deserve.

Also over the weekend, President Trump spoke with Russian President Vladimir Putin. There has been perhaps no other issue that has so pitted President Trump against the interests of the United States than Russia. Reflexively, the President will not utter basic truths about Mr. Putin's Russia, such as these: The annexation of Crimea, Ukraine, is illegal; they com-

mitted war crimes in Syria; and they sought to create doubt about and potentially influence the election that saw him elected President, as our intelligence community has now overwhelmingly confirmed.

There is no more fundamental interest that we have as Americans than our democracy. Let's be clear: Just as with Pearl Harbor or September 11, in this past election, the United States was attacked by a foreign power. President Trump does not even seem to care that we were attacked or, worse, does not seem to believe that we need to stand up and defend our democracy and our form of government. I find that unfathomable.

The phone calls this weekend came against the backdrop of President Trump and his aides floating the idea of lifting our current sanctions on Russia. So Russia has invaded Ukraine, has committed war crimes in Syria, has attacked our free democratic system, and we are talking about easing sanctions on Russia? It is such a miscarriage of justice and accountability that they do not understand or won't acknowledge the gravity of what Russia seeks to do here in our country and around the world.

It is, therefore, incumbent on Congress to act. I am pleased to have bipartisan support for my effort to impose additional sanctions on Russia as well as require the President to seek congressional approval before he rolls back current sanctions. Sanction relief can only come when Russia has changed its behavior, and I see no indication that that will come any time soon.

The unclassified reports released by the intelligence community earlier this month says that Russia's intelligence tried to access multiple State or local election boards. They also confirmed that Russia has researched U.S. electoral procedures and related technology and equipment, though they were clear in their assessment that there was no evidence at this time that Russia interfered in the actual vote tabulation.

An America that becomes passive or willfully blind to a resurgent Russia is not the kind of America that the American people deserve, and it is imperative that the administration understand this and act accordingly. What the American people don't need is the White House focusing on a trial balloon last week that fell like a lead ball.

Some in the administration thought it would be a good idea to bring back the notorious black sites—secret prisons—from a decade ago, where our intelligence picked up foreign nationals suspected of terrorism connections, hid them, and, in some cases, tortured them or allowed the prison's host country to torture them.

Perhaps nothing did more harm to our credibility and boost terrorist recruitment during the early years of the Iraq war than the dangerous, amoral

practice of rendition, secret detention, and interrogation by torture. We cannot go back to those practices if we value maintaining the perception and the reality of the United States of America as a beacon of justice, law, and human rights for the world.

Make no mistake, this approach, like the immigration Executive order, endangers American citizens and personnel abroad and is a boon to ISIS and like-minded groups. It validates their propaganda, aids their recruitment and incitement of homegrown terrorism in the United States and the West, and encourages attacks against America abroad. General Mattis gets it; why can't the President?

President Trump must never let this Executive order see the light of day. This is not the kind of America that the American people deserve.

Let me turn now to our relationship with our neighbors, our most important international relationships.

Since entering the political arena 18 months ago, candidate Trump was consistent in his treatment of Mexican immigrants and refugees, referring to them on day one of his Presidential campaign as drug users, criminals, and rapists.

So Mr. Tillerson's job was shaping up to be difficult enough. It got even harder last week. In the last 5 days, President Trump has insulted the Mexican President and people with his Executive orders on border wall construction and the treatment of immigrants and refugees at our border, as well as stoked fear throughout sanctuary and welcoming cities in the United States that resources could be cut and innocent people could be apprehended, breaking up and devastating families.

The President's new Secretary of Homeland Security said pointedly that a wall will not work, and Mr. Trump missed a real opportunity at the outset of his Presidency to advance both comprehensive immigration reform and border security, which go hand in hand.

We did that a few years ago. That is what the President should have come in with and used his Presidency to pass comprehensive immigration reform, as we did. Instead, he wants to build a wall.

Turning away legitimate asylum seekers at the border or requiring mandatory detention of families and children will do nothing to make America safer. Such cruel actions will inevitably bring harm and potential death to survivors of violence and torture, including many women and children, while undermining America's values and damaging our relationships with our allies.

Why the President would deliberately pick a fight with the President of Mexico is truly puzzling.

Not to be outdone after being embarrassed by the President of Mexico's cancellation of his visit to Washington, the President doubled down and had the audacity to suggest that the cost of constructing a border wall should be

passed on to the hardworking American families, not once but twice. The first is by inserting it in the budget. That is taxpayer dollars paying to build a wall that won't work. The second is through a tax on Mexican imports which will, in turn, be paid for by American consumers. All the while, he continues to blow smoke and say that we will continue to find a way for Mexico to ultimately pay for this dream wall.

It won't happen. This is not the kind of America that the American people deserve.

Lastly, I want to point out that, in his third day of office, just one day after the 44th anniversary of the landmark *Roe v. Wade* Supreme Court decision, President Trump reinstated the controversial global gag rule that would cut off U.S. family planning funding to any nonprofit group overseas that provides any information about abortion in their health care services for women and families in need.

In other words, this is not about U.S. money supporting abortion services. It is about working with organizations.

Now, Republican Presidents routinely reinstate this harmful rule, but President Trump's global gag order is even more extreme. It massively expands his already harmful policy to threaten all U.S. foreign aid assistance to nonprofit groups engaged in health in the developing world. That will significantly increase the jeopardy of cutting off U.S. funding to international health efforts.

We are talking about millions of more women and families. Without funding these organizations, we will not be able to provide HIV prevention, care and treatment services to those in need, provide integrated maternal health care with contraceptive services, or counsel women on the potential risk of Zika infection, among many other activities. This is very counterproductive to U.S. goals and interests.

This is not the kind of America the American people deserve. The American people deserve leadership that will make them safer and more secure, that will increase our prosperity, and that will advance our values and serve as an example to the world. That America, Mr. President, is also an America that can lead the world and that the world will want to work with.

The state of world affairs has been precarious for some time now. Almost single-handedly, President Trump is inflaming previously simmering situations, while creating new problems where they previously did not exist.

World leaders are chastising us. Innocent people are looking at us in fear. Terrorists are gearing up to use Trump's hate-mongering in their recruitment and anti-American propaganda. We will be less safe, not safer. He will be putting Americans at risk here at home and those traveling abroad.

As we do debate Mr. Tillerson's nomination, we cannot lose sight of the fact

that he will be carrying out the foreign policy of the most dangerous, unstable, thin-skinned, and inexperienced President we have seen on foreign policy issues and other issues.

Is he up to the job? Will he be a voice of reason and stability when times call for reason and stability? Will he resist the forces of war that so easily call out, rather than engage in the hard but necessary work of diplomacy and negotiation?

These are critical questions that we must ask and seek answers to as we debate and vote on the most important official in the President's Cabinet.

It is clear to me that, unfortunately, Mr. Tillerson will not be that voice of stability, reason, and diplomatic experience that the United States so desperately needs at this time of uncertainty and instability.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

#### PATIENT FREEDOM ACT

Mr. CASSIDY. Mr. President, the big debate right now, as we all know in our country, is this: How do we repeal and replace ObamaCare?

It is pretty clear that the American people want something done. They voted, ever since the bill was passed, for those who opposed ObamaCare and had a desire to both repeal and replace, culminating in the election of President Trump.

Now, I and SUSAN COLLINS, as well as others, have introduced something called the Patient Freedom Act, which is our attempt to replace ObamaCare. But what I want to emphasize here is the bill's emphasis upon federalism. The key feature is that we take power from Washington, DC, and give it back to patients and back to State capitols.

We think that we find plenty of examples where Washington has done that, allowing States to be the laboratories of democracy. It has worked out well for all.

First, let's look at the parameters that President Trump has laid out. President Trump says he wants to repeal the Affordable Care Act but replace it with something which covers everyone, takes care of preexisting conditions, does not have mandates, and lowers cost. Those are the marching orders, as far as I am concerned. With the Patient Freedom Act, we attempt to achieve President Trump's goals.

Now, how do we do that? Under our bill, Congress would pass legislation this year which next year would give States one of three options.

The Patient Freedom Act has something we call the better choice. That would be one option that States could choose. But really, a State would have the choice to say nothing: We don't want anything from the Federal Government. Good-bye. Get out of here. That is one option the State has, and the last option the State has is to stay with the status quo—or the Affordable Care Act.

We have actually gotten a little bit of criticism for that from conservatives, and I am saying: Why? This is federalism.

We are going to repeal the ObamaCare taxes and penalties. We are repealing that. But if a State and a State capitol wants to reinstitute taxes and penalties upon the people in its State and upon the businesses in that State, God bless them. I think it is a mistake, but they should have that choice. In fact, they have that choice now. All we are saying is that you can exercise the right that you currently possess.

The States would choose in 2018. They would implement their choice in 2019. By 2020, ObamaCare would be repealed and replaced. That is our goal: to repeal and replace while achieving President Trump's goals of insuring all, taking care of those with pre-existing conditions, without mandates and at a lower cost.

Now, by the way, let's talk a little bit about federalism. Conservatives have always thought the 10th Amendment, which grants the States every responsibility not delegated to the Federal Government, is an important consideration. That is what we are embracing here—to allow the State to choose.

There are some States in which the Affordable Care Act, I am told, is working well. The folks in California and New York swear by it. It is not working in Louisiana.

A friend of mine got his quote for the renewal of his and his wife's policy. They are 60 and 61, or thereabouts. It was \$39,000 a year—\$39,000 a year for the renewal of a policy.

Yes, Mr. President, it is \$39,000 a year for the renewal of a policy. No one believes me. I put it on my Facebook page, holding up the quote sheet with their names darkened out, but you can see, it is \$39,000 a year. That is the “un-Affordable Care Act.”

As you look around the country, you can see, for example, in Arizona, there was one county that for a while had no insurance company there, and when one came in, it raised the rates 116 percent in one year—more than doubled in one year, on top of the increases in all the previous years.

If California and New York say that the Affordable Care Act is working for them, keep it. It is not working for Arizona. It is not working for Louisiana. It is not working for other States in the Union. Why not take power from our Nation's capital and give it to the State capital, and allow the State capital to come up with a solution that works for that State?

I read an editorial today, and it was out of Rome, GA. It pointed to the Welfare Reform Act, in which a Republican Congress and President Clinton devolved to the States many of the reforms necessary for welfare. It has been considered a tremendous legislative success. They used that example as an endorsement of the approach to federalism we are taking now.

It isn't just that we give power back to the States; we also give power back to the patients. We let them choose the benefits they wish to have. We put in measures such as price transparency so that someone knows how much something costs before she has the tests performed, as opposed to being surprised by a huge bill 6 months later. With that and other means, we give power to patients.

We hope all those who wish to see President Trump's mandates fulfilled to cover everyone, take care of those with preexisting conditions, lower costs without mandates, in the process of repealing and replacing ObamaCare, will endorse the federalism of the Patient Freedom Act as well as those other provisions.

Mr. President, I yield back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### PRIORITIES OF THE REPUBLICAN-LED CONGRESS

Mr. THUNE. Mr. President, every year around this time, House and Senate Republicans get together for a joint conference to share ideas and develop our action plan for the year. Last week, we gathered in Philadelphia for this year's conference, and we had a very productive session. All of us came back energized and ready to achieve big things for the American people.

In November, the American people elected Republican majorities in the House and Senate and a Republican President. That was a tremendous show of trust, and Republicans know it. We are committed to living up to that trust by delivering on the promises we have made.

The last few years have been tough for American workers. Job creation has been sluggish. Wages have been stagnant. Economic growth has lagged far behind the pace of other recoveries, and opportunities for workers have been few and far between. It is no surprise that so many hard-working Americans feel as if they have been left behind. For millions of American workers discouraged over the past 8 years, I want to say this: We hear you. Republicans hear you, and we are going to act.

Republicans have outlined an agenda focused on growing our economy, creating jobs, increasing wages, and lifting the burdens that the Obama administration has placed on the American people.

One big issue that we will tackle this year is repealing and replacing ObamaCare. Seven years ago, ObamaCare was sold to the American people with a lot of promises. The law was going to reduce premiums for families. It was going to fix problems with our health care system without hurt-

ing anyone who was happy with their health coverage. If you like your health plan, you will be able to keep it, people were told. If you like your doctor, you will be able to keep your doctor, people were told. Well, as everyone knows, every one of these promises was broken.

Premiums for families continue to rise. Millions of Americans lost the coverage that they liked. Americans regularly discovered they couldn't keep their doctors, and their choice of replacement was often limited. These broken promises were just the tip of the iceberg. The law hasn't just failed to live up to its promises; it is actively collapsing, and the status quo is unsustainable. Premiums on the exchanges are soaring. Deductibles regularly run into the thousands of dollars. In fact, for 2017, the average deductible for a bronze level ObamaCare plan is rising from \$5,731 to \$6,092. With deductibles like that, it is no wonder that some Americans can't actually afford to use their ObamaCare insurance.

The problems on the exchanges are not limited to soaring costs. Insurers are pulling out of the exchanges right and left, and health care choices are rapidly dwindling. Narrow provider networks are the order of the day. One-third of American counties have just one choice of health insurer on the exchange. One-third of American counties have one option—one option. Tell me that is not a monopoly. This is not the health care reform that the American people were looking for.

Republicans are committed to replacing ObamaCare with real health care reform that focuses on personalized patient-centered health care. One massive problem with ObamaCare is that it puts Washington in charge of health care decisions that should be made at a much lower level. Any ObamaCare reform that Republicans pass will focus on fixing this. We are going to move control from Washington and give it back to States and individuals. Health care issues don't have one-size-fits-all solutions. It is time to stop acting as if they do. States should have power to innovate and embrace health care solutions that work for the individual employers in their State, and individuals should be able to make health care decisions in consultation with their doctors, not Washington, DC.

Another thing we are going to focus on is breaking down the ObamaCare barriers that have artificially restricted choice. As I said earlier, ObamaCare has defaulted to a one-size-fits-all solution when it comes to health care. That means many Americans have found themselves paying for health care that they don't need and don't want. We need much more flexibility in insurance plans. A thriving health care system would offer a wide variety of choices that would allow Americans to pick a plan that is tailored to their specific needs. We also need to give Americans tools to better manage their health care and to control costs. Of course, any reform plan

has to make sure that employers have the tools they need to provide employees with affordable health care coverage.

Mr. President, another priority of the Republican-led Congress will be regulatory reform. While some government regulations are necessary, every administration has to remember that regulations have consequences. The more resources individuals and businesses spend complying with regulations, the less they have available to focus on the growth and innovation that drive our economy and create new opportunities for American workers.

Unfortunately, the Obama administration chose to spend the last 8 years loading employers with burdensome regulations. According to the American Action Forum, the Obama administration was responsible for implementing more than 675 major regulations that cost the American economy more than \$800 billion. Given those numbers, it is no surprise that the Obama economy left businesses with fewer resources to dedicate to growing and creating jobs. Repealing burdensome regulations is one of the most important things we can do to get our economy healthy again. That is going to be a Republican priority.

Mr. President, another big thing we can do to make America competitive again is to reform our outdated Tax Code. That will also be a Republican priority this year.

Right now, the Congressional Budget Office is projecting that our economy will grow by an average of just 2 percent over the next 10 years. If we can increase that growth by just 1 percent, we would see average incomes rise by \$4,200. Just get the growth rate from an average of 2 percent, which is what the CBO is projecting for the next 10 years, to 3 percent, and incomes go up by \$4,200. We would see an additional 1.2 million jobs created in our economy, and we would see much faster increases in the standard of living.

So many younger Americans today are finding that they are not able to enjoy the same standard of living that was enjoyed by their parents because of a sluggish economy that is growing in that 1-percent to 2-percent range. One of the ways to achieve that kind of growth, to get back to a 3- to 4-percent growth in our economy, is to reform our broken Tax Code.

The current Tax Code is costly, complex, and frequently unfair. Some corporations benefit from special rules, deductions, and credits, while others are forced to pay the highest corporate tax rates in the developed world. More and more American companies are focusing their business operations overseas because the tax situation is so much better abroad. That means American jobs are going overseas with them. Instead of pushing employees out of the country, we should bring our Nation's tax rates in line with those of other countries to keep more jobs here in the United States.

We should make our whole Tax Code flatter, fairer, and less complex. Our Tax Code should work for all taxpayers, not just a privileged few. A simpler, flatter, and fairer Tax Code will make U.S. businesses more competitive in the global economy, and it will help businesses create new good-paying jobs for American workers. It will jump-start our economy and ensure long-term economic growth.

Finally, Mr. President, Republicans in the Senate have another important trust to uphold this year, and that is confirming a new Supreme Court Justice. We are committed to confirming a well-qualified nominee with the right temperament to sit on the Court and have the proper understanding of the role of the Court in our country. Supreme Court Justices are umpires. They call balls and strikes; they don't write the rules of the game. The job of a Supreme Court Justice is to interpret the law and the Constitution, not rewrite the law based on his or her personal opinions.

Democrats have spent a lot of time talking about the need for nine Justices on the Supreme Court. Republicans trust that they will follow through on their statements by working with us to confirm the President's nominee.

To every American who voted for change in November, to every American frustrated with the sluggish economy and a lack of opportunity, I want to say again that we hear you. The Republicans hear you. We are not going to let you down. We will spend the 115th Congress fighting for your priorities, and we will not rest until every American has access to a future of security, hope, and opportunity.

I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Illinois.

Mr. DURBIN. Mr. President, what is the issue before the Senate?

The PRESIDING OFFICER. The Tillerson nomination.

Mr. DURBIN. Thank you, Mr. President.

Mr. President, Rex Tillerson of ExxonMobil has been nominated to be our Secretary of State. We are going through a procedural 30 hours of debate, moving to that issue. As we can tell, many speeches are being given on the floor on a lot of different topics, but the underlying order of business is the next Secretary of State of the United States of America. His nomination comes to us at a particularly challenging time. We live in a dangerous world. We know that. We learned it on 9/11, and we learn it every day when men and women in uniform are risking and sometimes sacrificing their lives for this great Nation.

We also live in a complicated moment in time with the changeover in Presidents and clearly a changeover in foreign policy. We note that in the first 12 days—the first 12 days of the Trump Presidency—how many serious foreign policy issues have arisen, some the cre-

ation of the new President of the United States.

It is customary, it is traditional, for the President of the United States to make one of his first major visits to Mexico, or Mexico to the United States. The reason, of course, is they are our third largest trading partner, and in so many different areas, we work together closely with Mexico. We certainly work together with them on issues of security, issues of terrorism and narcotics and trade issues that go on, on a daily basis. Unfortunately, this new President Trump is off to a rocky start with the President of Mexico, to the point where the President of Mexico canceled his visit to the United States.

Strong statements were made during the campaign by President Trump about building a wall and the Mexicans will pay for it. How many times did we hear that? Over and over again, the Mexican Government has said: We will never pay for it. So that standoff over a campaign threat or promise is at this moment inhibiting a relationship which traditionally has been strong for generations.

Secondly, since being elected President of the United States, President Trump has said that NATO is obsolete. NATO is the alliance created after World War II to protect Europe against aggression from outside, particularly from the Soviet Union. Since the fall of the Soviet Union, NATO has expanded to include many other countries—the Baltics, for example, and Poland. As a result, these countries have become dependent on NATO for their security.

The theory behind NATO is very basic. If one of our NATO allies is attacked, we will all defend. So we can understand why a small country like Lithuania, Latvia, Estonia, even Poland, realizing that they are vulnerable to Russian attack, count on NATO. When the President of the United States says that NATO is obsolete, people living in those countries wonder: What about tomorrow? What happens tomorrow if Vladimir Putin, who has been guilty of aggression in Georgia, as well as Ukraine, decides to pick a Baltic country next?

So the uncertainty created by President Trump's statement on NATO is one that haunts us to this moment.

But the one that is really overwhelming over the last few days is President Trump's Executive order when it came to refugees and immigration. The story of refugees in the United States does not have a good start. Going back to World War II, a man named Breckinridge Long was in charge of immigration into the United States during that war. He worked in the administration of Franklin Roosevelt. Sadly, his view on refugees was harsh, and as a result, the United States was caught up many times denying access to the safety of the United States to people who were vulnerable to persecution and genocide. The most noteworthy example was the



SS St. Louis in 1939, which brought 900 people from Nazi Germany to the United States to escape the Holocaust. They were turned away. They were forced back into Europe, and hundreds died as a result of it. That was the policy of the day.

When Robert Wagner, the Senator from New York, asked that we allow 10,000 German children to come into the United States to escape the Holocaust, that measure was defeated in committee in the U.S. Senate—children coming to the United States.

After World War II, when we saw 6 million Jews killed in the Holocaust and so many others whose lives were compromised and lost, we decided to change the U.S. approach when it came to refugees. Instead of pushing back against them, we began to embrace them. And do you know what has happened since? We developed a reputation around the world as the safe place to be, the country that cared. Ask over 600,000 Cubans who came to the U.S. shores to escape Castro's regime. Remember, at that time, Castro had allied with the Soviet Union, our mortal enemy of the Cold War. Yet, without vetting—without extreme vetting—we said to these Cubans: You are welcome to be safe in the United States, and they came in the thousands. Are they an important part of America? You bet they are, and there are three Cuban-American U.S. Senators to prove it.

Today, a question has been raised by the Trump regime as to what our view is going to be toward refugees in the future. Thank goodness we didn't raise it with Cuba, nor did we raise it when Jews in the Soviet Union were facing persecution. They asked for a chance to come to the United States. Synagogues and communities across the United States opened their arms and gave them a chance, and over 100,000 came to our shores. We are better for it. We really have demonstrated that our ideals and values as a nation apply to those who came to our shores.

The list goes on and on, from Yugoslavia to Viet Nam, to Somalia, and many other places where the United States has shown that we are a caring nation. Now comes this new President who says: It is America first; we are going to redefine this refugee policy.

Well, this redefinition of America around the world is something that many of us believe is just plain wrong. These Executive orders were issued by President Trump without consultation with even his own Cabinet members who have been appointed. Those in the area of national security, for example, weren't consulted before these Executive orders went into effect. When I talked to the Department of Homeland Security and Customs and Border Protection, it turns out they were given instructions at the last minute as to how to treat passengers coming into international terminals over the weekend.

I know what happened at O'Hare. Over 130 people were stopped and de-

tained and questioned, and some were never allowed to board planes in other countries, and some were returned to those countries. It was chaotic. It didn't show basic competency in running a government, and it was fundamentally unfair.

Let me say it wasn't just a matter of an uncomfortable situation. It wasn't just a situation of people being inconvenienced. One of our priorities when it comes to refugees, even from those seven countries that President Trump noted, were those who were in desperate medical conditions. So when the President said: I just wanted a pause—a pause for these seven countries—let me ask what we think that pause means to that 9-year-old Somali child in an Ethiopian refugee camp with a congenital heart disease that can't be treated anymore in that camp and who was finally going to get to come for medical care in the United States. That pause by President Trump could be deadly. A 1-year-old Sudanese boy with cancer. A Somali boy with a severe intestinal disorder living in a camp that doesn't even have medical facilities. A pause. We will get it together. We will get back to you later. That is the kind of human condition that is being affected by these orders issued by our new President. Is it any wonder that so many people around the world have reacted?

First, they should react when it comes to our security. Do we know how many terrorist refugees have come from these seven countries on the list? None. Not one. Not one Syrian refugee has engaged in terrorist activities in the United States. If you watched "60 Minutes" over the weekend, you will understand why.

This is not an easy ask. You don't just hold up your hand and say: I am ready to go to the United States. You first submit your name to the U.N. Commission on Refugees. Then we cull the list to find the ones we might consider in the United States, and that is about 1 percent. Then we put them through a vetting process that can go on for 2 years—2 years of being interrogated, investigated, examined, watched, and challenged. Then, finally, after those years, they may have a chance to come to the United States.

So now we are going to move to extreme vetting? What is that going to be—trial by fire? What is left? We are doing the very best. The fact that there has not been one refugee from any of these countries engaged in terrorism is an indication that we have a good process that is stronger than any nation on Earth. Yet the President has said we are going to stop these refugees from coming indefinitely from Syria and for months from these other six countries.

Then he made a statement on a Christian broadcasting show that he was on that really went far over the line. During the course of the campaign, he said repeatedly: This will be a Muslim ban. Then he said: They told me to stop saying "Muslim ban," so he stopped for a while.

It turns out that Rudy Giuliani, the former mayor of New York, said: Well, he called me in and said, How do I put together something legal that is a Muslim ban? I think Mayor Giuliani may have been speaking out of school, but it is an indication of what was really going on in the Trump campaign and this administration.

On this Christian broadcasting show, the President was explicit that he would give priority to Christians because he believes they would be persecuted in those countries. That flies in the face of some fundamentals in this country—the fundamentals of our Constitution—because we have said that when it comes to religion, this government shall not favor any religion. Here we have the President of the United States on a television show saying the opposite.

It is being challenged in court, at least to some extent. It has been slowed down by retraining orders issued by Federal courts and judges around this country.

Last night, the Acting Attorney General, Sally Yates, said that in good conscience, she could not defend President Trump's decisions in these Executive orders. For that act of courage, she was fired. I am sure she expected it. But I want to say that for a woman who has given her life—20 years of it, at least—as a prosecutor and who had an exemplary career at the Department of Justice, my hat goes off to her. I think she did what she thought was right and faced the consequences. History will prove her right and this decision by the administration wrong.

So now we have Rex Tillerson, who wants to be Secretary of State of the United States of America. How would you like to take over that job tomorrow in light of what I have just mentioned—the Executive orders issued by the President without consultation with the Department of State; judging NATO to be obsolete in his Twitter; and then having a relationship with Mexico where the President is cancelling trips to the United States, not to mention other things said about China and other countries. It is an awesome challenge. It is a challenge that we have to ask whether Mr. Tillerson is prepared for. He has had 40 years of success with ExxonMobil, starting as a production engineer and going to the top of the company. Now the question is, Is he ready to give up his loyalty to a company and to have a loyalty to a country even if the decisions he has to make as Secretary of State may be inconsistent with the best business policy for that company?

I am going to yield the floor. I see my colleague from the State of Wyoming is here. I believe this will be ongoing, so I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Wyoming.

**NOMINATIONS OF JEFF SESSIONS AND TOM PRICE**

**Mr. BARRASSO.** Mr. President, I wish to congratulate the current Presiding Officer for his ascension to the



chair of the Indian Affairs Committee in the U.S. Senate. It is a committee with a great history of bipartisan efforts working together. It is a committee on which I was privileged to serve and still serve and of which I have been the chairman in the past. I am looking forward to the distinguished Senator from North Dakota taking over the mantle of responsibility, and I know he will continue to work hard, as he has since joining the Senate, in the efforts on behalf of so many Americans.

I also come to the floor about what is going on in the Senate with regard to confirming nominations in a Cabinet that I believe is truly an all-star Cabinet—truly an all-star Cabinet. I think it gets better as we keep confirming one nominee after another. Last week I spoke on the floor about what a great job I believe Scott Pruitt is going to do as head of the Environmental Protection Agency. Today I wish to talk about two more examples.

First, there is the nomination of our friend and colleague, Senator JEFF SESSIONS from Alabama, to be Attorney General. Those of us who have served with Senator SESSIONS over the years know he is a man of uncommon decency, of fairness, and of integrity. We know his dedication to the law is absolute.

In 1999, Senator SESSIONS came to the floor to speak in support of awarding the Congressional Gold Medal to Rosa Parks. In that speech, he said: "Equal treatment under the law is a fundamental pillar upon which our republic rests." We saw Senator SESSIONS' devotion to this idea again and again and again. He introduced legislation to reduce the differences in the kinds of sentences that could be handed out to people convicted of similar drug crimes. He teamed up with Senator Ted Kennedy to pass legislation protecting prisoners from sexual assault behind bars.

The job of Attorney General is to be America's top law enforcement officer and attorney. JEFF SESSIONS has shown himself to be an outstanding attorney. He worked as a frontline prosecutor. He spent 12 years as the U.S. attorney for the Southern District of Alabama. He was attorney general of the State of Alabama, and he has spent 20 years here as a U.S. Senator.

If confirmed as Attorney General, he will be one of the most qualified people ever to hold this job. These qualifications include an exceptional knowledge of how the Justice Department works and the priorities of the people who work there.

The Attorney General oversees the work of more than 100,000 people. Most of them are law enforcement, working for agencies like the FBI and the Drug Enforcement Administration. I think these men and women are going to find that JEFF SESSIONS is their greatest champion, and I think they are going to greet his arrival at the Justice Department with a wonderful ovation.

National law enforcement groups have already endorsed his nomination, and so have groups representing Federal and local prosecutors. He is going to enforce the laws passed by Congress in a fair and impartial manner. That is exactly what America needs in its Attorney General.

The second person I want to talk about is Congressman TOM PRICE. TOM has been nominated to be the Secretary of Health and Human Services. Just as JEFF SESSIONS has devoted his life to the law, TOM PRICE has devoted his life to caring for the health of patients and the American people.

Dr. PRICE practiced medicine for 20 years. He was medical director of the orthopedic clinic at Grady Memorial Hospital in Atlanta. Grady Memorial Hospital is a public safety-net hospital in Atlanta, and many, many of its patients are low income. Dr. PRICE saw each and every day the challenges that people faced in America's broken health care system, both the patients and the people who are trying to provide the care. That is why he has taken health care reform so seriously as a Member of Congress. He did as well when he was in the Georgia State legislature. He understands and he understood immediately why so many parts of ObamaCare simply would not work when they were passed and signed into law some 6 years ago. Like a lot of us, he warned the health care law would actually make things worse for millions of Americans—and TOM PRICE has proven right.

It is time for the Department of Health and Human Services to have leadership that understands that patients should not become a political tool. Congressman PRICE is actually the first medical doctor to be nominated to head the Department of Health and Human Services since 1989. That kind of knowledge and the background he has is essential for dealing with the challenges the Department faces today.

The wheels are falling off of America's health care system. We need leaders—leaders who are more than just professional bureaucrats, which is what we have had. We need someone who understands health care deeply, and who cares about putting patients first, not politics.

TOM PRICE has shown he can reach across the aisle to get things done. It is what he did in the State legislature in Georgia, and it is what he has done in the House of Representatives here in Washington. TOM worked with Democrats to make sure that Medicare patients could continue to get access to medical equipment like blood sugar monitors and oxygen tanks. He did the same thing when he introduced a bipartisan measure to stop burdensome new regulations affecting patients who need a new hip or a new knee joint. As Secretary of Health and Human Services, he is going to listen—listen to the best arguments of both sides, and then he is going to do what is right for the health of the American people.

ObamaCare has to go. It has failed miserably. We all know that. Even Democrats in Congress who wrote the law realize how flawed it really is. It is time for us now to focus on what can be done to replace ObamaCare and make American health care work once again.

I have seen media reports that Democrats want to obstruct the nomination of TOM PRICE as well as that of JEFF SESSIONS. I expect Democrats will plan to grandstand for political purposes because they have no real objections to either person's qualifications or credentials.

Democrats' complaint is that they lost the Presidential election. Well, the President deserves to have his Cabinet in place. That is why Republicans didn't object to President Obama getting seven of his Cabinet members on his very first day in office in 2009. By this point in time, President Obama had a significant number of his Cabinet—over 20 members—confirmed in 2009, and we look at where we are today, with President Trump's Cabinet and the obstruction of the Democrats. It is unfortunate that Democrats have decided not to follow the example of Republicans when Barack Obama came to the White House.

Political spite isn't a good enough reason for delay. Democrats need to get over it and get on with it. Attorney General of the United States and Secretary of Health and Human Services are big jobs. They are important jobs, and they are necessary jobs. It is time for the Senate to move as soon as possible to confirm both JEFF SESSIONS and TOM PRICE to the Cabinet.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The assistant minority leader.

Mr. DURBIN. Mr. President, the Senator from Wyoming from the other side of the aisle is my friend. We spend time in the gym together; I go there regularly—for no apparent reason. But we are friends, and we disagree on some political issues. I just wish to clarify one or two things.

When it comes to Congressman PRICE, I don't know him personally. He has been chosen by President Trump to head up the Department of Health and Human Services, one of the biggest and most important. He has stated, as a Member of Congress from Georgia, that he believes we should change the Social Security system as well as the Medicare system and privatize Medicare. That is a worrisome suggestion for 50 million or more Americans who count on Medicare and do not exactly look forward to being placed in the loving arms of an insurance company at some point late in their lives. So there are questions there.

But the question at hand was brought to the attention of the American public today, not in some liberal newspaper, but in the Wall Street Journal. It turns out that Congressman PRICE has been engaged in the purchase of stock that

has a direct impact on the medical profession. Whether he properly filed disclosures in buying that stock or whether he did something improper is still to be resolved.

Part of the reason the nominees for President Trump are taking longer than others is that many, like Congressman PRICE, have extensive financial holdings. We found that when a billionaire from Chicago—Penny Pritzker—was nominated for Secretary of Commerce under President Obama, it took literally 6 months for us to gather all the financial information about her and to divest her of any potential conflicts of interest. It turns out that many of these nominees did not have their ethics filings on file in time to be considered in a timely fashion, and, in some cases, information about them was found to be in conflict with reality, and now there is a further investigation necessary. It isn't just a matter of spite; it is a matter of doing our due diligence, as required by the Constitution and required in the U.S. Senate.

#### AFFORDABLE CARE ACT

A word about ObamaCare: My friend from Wyoming, a medical doctor himself, has felt strongly against the Affordable Care Act since its passage. I view it a lot differently.

There are currently 1.2 million Illinoisans—1 out of 10 in our State—who have health insurance because of the Affordable Care Act. Over half of them are now brought into the Medicaid system, the others are on insurance exchanges, and many of them have their premiums subsidized by our Federal Government.

In addition, every person in America who has a health insurance plan has benefited by the Affordable Care Act. Why? Because we took some of the worst abuses in health insurance and said: You can no longer do that and sell health insurance in this country. One example is lifetime caps—caps on the amount of money that a policy will play. Now, \$100,000 in coverage may sound like a lot, until you are diagnosed with cancer—and then it disappears in a matter of days and weeks. So we eliminated lifetime caps on coverage.

The second most important thing we did was to say: You can't discriminate against someone because they have a preexisting condition. Is there anyone alive that doesn't have some preexisting condition? If it was bad enough in the bad old days before the Affordable Care Act, that was enough to either disqualify them from health insurance or to run the premiums up to the high heavens. Now you can no longer be discriminated against because your husband has diabetes, your wife survived breast cancer, or your child has survived a cancer scare themselves. We have eliminated that in all health insurance policies.

The third thing we did was to say that every health insurance policy sold in the United States has to cover men-

tal illness and substance abuse treatment. The people who pushed for that—Democratic Senator Paul Wellstone of Minnesota and Republican Pete Domenici of New Mexico—both had family histories of mental illness, and they said health insurance ought to cover mental illness. They finally prevailed. It was included in the Affordable Care Act, so it means that, across the board, all of us who buy health insurance are buying care for mental illness.

Is substance abuse treatment important? Think about the opioid and heroin epidemic across the United States—across my State of Illinois. Where would these families be, with a person in the family suffering from addiction, if the health insurance plan didn't provide some coverage? The Affordable Care Act requires that.

When the Republicans say that they want to repeal it, the obvious question is: And then what? What happens next, when the insurance companies can stop covering these critical areas?

There is another thing. My wife and I have raised some kids who have gone through college, and when they finished college they didn't quite go into their long, permanent career. They had a bunch of jobs, looking for the right place.

I can recall calling my daughter, fresh out of the University of Wisconsin, and saying: Jen, do you have health insurance? I know you did as a student.

She said: Dad, I'm fine. I'm strong and healthy. I don't need it.

That is the last thing a father wants to hear.

Do you know what the Affordable Care Act says? My daughter—anyone's daughter—up to the age of 26 can stay on my family plan. How about that for common sense? There are 90,000 young people in Illinois protected by the family plans because of that provision. Now we hear from the Senator from Wyoming that this is a big failure and we have to repeal it.

The last thing we did is important to every senior citizen on Medicare across the United States. There used to be something called the doughnut hole. It is even hard to describe, but it related to paying seniors for their prescription drugs. Here is what it said; try to follow this: We will cover you for the first few months of the year, with Medicare paying the prescription drug cost. Then you are on your own for 3 or 4 months. Once you have delved into your own personal savings up to a certain amount, we will come back and cover you again.

Go figure. It would take a Congressman or a Senator to dream up something like that, and seniors across the country felt completely vulnerable. When they went into that period of no coverage, many of them stopped taking their drugs. That is not a good thing. So we closed that gap. We closed that doughnut hole.

What does it mean to seniors in Illinois? On average, they save \$1,000 a

year because the Affordable Care Act brought this reform to Medicare. Now the Republicans say: Let's repeal that. Do they want to explain to the seniors in my State that they now have to turn for their savings for that gap period again? We don't want to see that happen.

For 6 years, Republicans have said repeatedly that they want to repeal ObamaCare. Repeal ObamaCare. They say it in their sleep. They have vote after vote—I think 60 different votes in the House—to repeal it, knowing it would never happen with President Obama in the White House. Now, the dog done caught the bus. Here they are, in the majority in the House and the Senate with a Republican President, and their first order of business: Repeal ObamaCare.

Do you know what they are learning? All across the United States, medical health care providers—hospitals, doctors, clinics, and others—are telling them that will be a disaster. If you eliminate the Affordable Care Act without a replacement as good or better, you are going to leave chaos in the system and a lot of people without the protection of health insurance.

So after 6 years, you would think the Republicans would have a replacement plan. Right? A substitute. They have had all this time to think about it. No, not yet; they are still thinking about it, but they are determined to repeal.

I met with hospital administrators around my State last weekend and will continue to in the future. They are worried. We estimate Illinois hospitals will lose over 90,000 jobs with the repeal of the Affordable Care Act. We know that downstate hospitals and hospitals in rural areas—in many States represented here—are going to be forced to close. What happens when you close that smalltown hospital in downstate Illinois? What used to be a 20-minute ride to the hospital becomes a 1-hour drive. How important is that? Well, when you are in labor, it is important or if you just had a farm accident or you are responding to something that happened on the highway, it is critical, life-or-death important. So you would think Republicans would have a plan to keep these hospitals open. They don't. We haven't seen a substitute.

They rail against ObamaCare; they rail against the Affordable Care Act. They don't criticize the individual components I have described because they are wildly popular with the American people.

The irony of this is that we have spent 6 years trying to convince people that the Affordable Care Act, even with its flaws and faults—and it has them, but even with that, it is good for America. We got nowhere. We were beating our heads against the wall.

Then, when the Republicans took over and started talking about repeal, people were stepping back and saying: What am I going to lose if they repeal it? The approval rating for the Affordable Care Act since Donald Trump was

elected is going up, as people come now to finally understand the value of it for their families and their businesses.

So I say to my friends on the Republican side, as I have said over and over again: The Affordable Care Act is not a perfect law. The only perfect law was carried down the side of a mountain by Senator Moses on clay tablets. Everything else can be improved, and I am ready to sign up for that improvement. First, jettison this whole talk of repeal. It is totally irresponsible. If we want to have a constructive conversation about how to make the Affordable Care Act more affordable, covering more people, finally doing something about prescription drug costs, let's sit down and do it together on a bipartisan basis. Starting with repeal is a non-starter.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. COTTON. Mr. President, I want to express my support for Rex Tillerson to be our next Secretary of State. Mr. Tillerson is one of the most distinguished businessmen in the world. His reputation precedes him. I don't have to recount for all of you his remarkable career—rising from an entry-level production engineer to CEO of ExxonMobil, the largest oil company in the world. Mr. Tillerson's story should be an inspiration to kids across this country: Through hard work, discipline, and striving, you can achieve your dreams, even if you weren't born into wealth, power, or privilege. Like the Boy Scouts he has mentored, like the Eagle Scout he was, Mr. Tillerson inspires by his example.

No one can doubt Mr. Tillerson has acquired a wide range of skills throughout his notable life, as well as a gold-plated reputation. I think it goes without saying that a man of such varied experiences will bring a well-informed and shrewd perspective to the post. In fact, I would suggest that it is the very perspective which recommends him most for the job.

I met with him in December, and we had a wide-ranging conversation about Russia, the Middle East, human rights, and the many other geopolitical challenges and opportunities facing our country. I was impressed by the breadth of his knowledge, his familiarity with so many world leaders, and his understanding of their peoples. The one thing that really stood out to me was his clear-eyed, hard-nosed prudence. It is little wonder that Mr. Tillerson comes highly recommended by Dick Cheney and Bob Gates, seasoned statesmen with no illusions about the world and no doubts about America's role in it. I am confident that as Secretary of State, he will protect the interests of the American people just as he protected the interests of ExxonMobil's shareholders as their CEO.

I have heard some Senators wonder whether a businessman can really walk away from a company and its financial

interests—as if it were the money that made the man, instead of the man who made the money. Their concern reminds me of similar questions raised about one of the best Secretaries of State in the modern era, George Shultz. When President Reagan nominated him, Secretary Shultz was president and director of the Bechtel Group, a large construction concern with business across the Arab world. People asked whether Secretary Shultz would therefore tilt U.S. policy toward those countries. I think anyone looking back today on his record would marvel at those fears.

In 2015, the World Jewish Congress awarded Secretary Shultz its prestigious Theodor Herzl Award on behalf of his work with America's good friend Israel. Yes, Secretary Shultz went on to lead a very successful tenure, working with different countries all over the world and always putting America's interests front and center.

If anything, Rex Tillerson's business experience will only enhance his ability to provide the President his sound, unbiased judgment. If you need any more evidence, just look at the way Mr. Tillerson has conducted himself throughout the confirmation process. He has answered every question and addressed every concern. He has been calm and steady under pressure. These are precisely the qualities we need in our next Secretary of State.

Today, I offer my strong support for an outstanding businessman and an American patriot, our next Secretary of State, Rex Tillerson. I encourage all of my colleagues to vote for the nomination.

Mr. President, I yield the floor.

Mr. DURBIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. CARDIN. Mr. President, as I indicated earlier, this afternoon I had an opportunity to meet with King Abdallah of Jordan. During that conversation with Members of the Senate, there was a good deal of discussion about foreign policy challenges that are very much a part of this debate on Mr. Tillerson.

It was interesting to listen to King Abdallah of Jordan talk about his country's commitment to refugees. They have taken in refugees from many parts of that region—from Iraq, Yemen, and other countries. They have taken in over 600,000 refugees from Syria. I think King Abdallah used a number. If you wanted to use a comparable number of refugees coming into America, it would be equivalent to about 60 million refugees coming into our country. Let me remind you that in Syria, President Obama committed

to 10,000. It is literally a drop in the bucket compared to what Jordan has done in accepting refugees. It just underscores even more how wrong President Trump's Executive order over the weekend was, which put a hold on our refugee program and restricted travel to the United States.

The vetting that goes forward in Jordan in regard to refugees is under the auspices of the United Nations, and of those who are seeking refugee status, a very small percentage—I understand it is less than one percent—will actually ever get a chance to be considered for refugee status here in the United States. Let me remind you that we are talking about, generally, women and children who are fleeing persecution, who have established themselves as refugees. They go through several screening procedures. Their background is thoroughly checked. They check all of the different indices as far as different agencies are concerned to make sure that they have no concern. Then a small percentage of that number actually ever gets to the United States. It takes 18 to 24 months. To date, there hasn't been a single episode of terrorism from a Syrian refugee. We have a pretty strong vetting process—the strongest in the world—that very much puts American security first.

It was disheartening for me to listen to King Abdallah talk about the sacrifices his country has made. Of the 650,000 refugees that Jordan has taken in from Syria, the King indicated that about 90 percent are integrated into the Jordanian society. They are not in camps. They are in their schools, in their communities. They have been able to make sure that the refugees are well cared for. It is a huge part of the budget. I think the King indicated that maybe 20 percent of the Jordanian budget deals with refugees. That is a country that understands their regional responsibilities and international responsibilities.

The United States has been the leader in the global community, recognizing that the flight of people—the refugees—represents not only a humanitarian requirement for the global community but also security issues. We have to have an orderly process for those who are fleeing persecution, and the United States has always been in the leadership. We have been in the leadership in opening our borders. We are proud of the refugees that came to this country after World War II, from Cambodia, Vietnam, and Cuba. There is a long list of those who have escaped persecution coming here to the United States and helping to build this great country. We recognize that diversity is our strength. This made us the great Nation that we are.

For all those reasons, it was very disheartening to hear President Trump's Executive order, where he really questions whether America is committed to its traditional values, whether we are going to maintain our international leadership, whether we are going to be

credible when we deal with other countries around the world to take on the responsibilities of dealing with the flight of people who are escaping persecution.

I mentioned all this because the Secretary of State is the key diplomat that we have for America and to use America's power of persuasion, of using diplomacy, of using the tools at our disposal under the Department of State, including development assistance for how we can, in fact, promote those values. We need someone who is going to be able to speak out about these policies that were announced over the weekend because they weaken America. They make us less safe. I brought this out: In reality what you are talking about is how do you engage other countries around the world to help us in our war against terror when we tell them that Muslims aren't really welcome here in America and it is a majority-Muslim country? How does that work? How do we protect Americans who are traveling abroad who may be subjected to physical danger because of the statements that have been made by our President? How do you protect this country from the concerns about homegrown terrorism, which might, in fact, be encouraged by the recruitment of terrorists as a result of what the President has done in his Executive order?

For all those reasons, it is even more important for us to have as the next Secretary of State a person who is committed to the core values of this country—that it is part of their gut, and that they will be a strong advocate for those issues. I have already indicated during the questioning in the Senate Foreign Relations Committee that we did not see that moral clarity in regard to Mr. Tillerson and in regard to those values.

The second issue that came up in King Abdallah's meeting was very interesting. We had a long discussion about Russia and about Russia's influence. We know about Russia's influence in Ukraine. We had a little discussion about Russia's desires in regard to the Baltics and whether the Baltics could be the next Ukraine, as far as Russia's aggression. We know that Russia is already in Georgia. Russia is already in Moldova. Russia is in Ukraine. Do they have their sights now set for Lithuania or Latvia or Estonia or Poland, where there is a large Russian-speaking population?

Interesting observations were made that if Russia sees that we don't have resolve, they will use that opportunity to expand their influence. We saw that in the Middle East. We saw how in the Middle East Russia, which a few years ago had very little influence in the Middle East, now has a growing influence in the Middle East—not only in Syria but in other countries in that region where you see Russia's active engagement. So this is not theoretical.

Russia's interests are different than our interests. Make no mistake about

that. They don't share our values. They are not our friends. They are trying to compromise our democratic institutions. We have seen that over and over—not only the attack on our election system here in the United States, not only the attack on the system in Montenegro in parliamentary elections, but the concern now in Western Europe, as they are entering into the election season. We see over and over what Russia has done in denying space for civil society, in compromising dissent in their own country, in the way that corruption has been established as part of government. All of that is just against the principles that we believe in, that we believe the global community has accepted, and that leads to the stability in nations and advances America's national security interests.

I must tell you that there are Democrats and Republicans all talking about the fact that we have to stand up to Russia. We have to be stronger on Russia. Yes, we have been able—thanks to the leadership of the Obama Administration—to take the sanctions that were passed by Congress. We passed the sanctions. The leadership and Members of the Senate and the House have brought about the stronger sanctions regime here in the United States. I congratulate my colleague, Senator MENENDEZ, who was one of the principal leaders to get stronger sanctions here in regard to Russia, and other members of our committee who worked on that. We were able to get stronger sanctions. At the same time, we were able to get Europe to join us in these sanctions, and that helped us. But now there is a concern as to whether these sanctions will remain.

President Trump at least has raised that question as to the continuation of sanctions. The question becomes this: Should we be maintaining those sanctions until Russia complies with the Minsk agreement that are relevant to its invasion into Ukraine? But we should also be strengthening those sanctions because of Russia's illegal activities in attacking our country and in what they are doing in Syria in perpetrating war crimes. We should be looking at stronger sanctions against Russia.

I mention all of that because the person who can lead us in that effort is our next Secretary of State. We look at Mr. Tillerson and his record as the CEO of ExxonMobil, their relationships in Russia, and his answers to questions as to whether we should consider additional sanctions. Over and over he says: Well, there are multiple considerations. To me, that was a red flag that indicated that maybe there is some business interest here. Maybe, if there is a business interest, we shouldn't let that be more important than the human rights advancements and the other areas that we are concerned about.

In reality, we saw that in the way ExxonMobil lobbied against the original sanctions that were imposed

against Russia. They lobbied against it because they said it didn't create a level playing field for U.S. companies. The reason it didn't create a level playing field is that the United States is always the leader on sanctions. We always set the international bar as to what we need to do, and then the rest of the world follows us. But if we take the lowest bar, we will never have a tough enough stance against Russia.

We need, as the next Secretary of State, a person who is going to be a leader in saying: We are going to use every one of our diplomatic tools to isolate Russia if they continue this activity of interfering with our elections, threatening to interfere with European elections, interfering with humanitarian assistance in Syria, or if they continue their illegal occupation of Crimea. We need that type of leadership. That is one of the reasons we have been so much engaged in this debate.

There are many other issues about which we talked with King Abdallah that dealt with foreign policy challenges, including moving forward with broader coalitions against ISIS in the region. All of that requires the use of all the power we have. We know that our military is very strong. We are very proud of our Department of Defense and very proud of the men and women who serve in the military. They are the guardians of our freedom. We thank them every day for the sacrifices they make on behalf of our Nation. We owe it to them to make sure our military is only used as a matter of last resort, that we use all of our diplomatic skills in order to prevent the unnecessary use of our military, that we only use the military when it is absolutely essential and it is a matter of last resort.

We must have as our chief diplomat a person who will carry out that strong commitment to our diplomatic skills and agenda in order to make sure that we only use the military when necessary.

We have heard this before. But it was General Mattis who said: If you don't fund the Department of State, if you don't give them the resources they need for development assistance, you are going to have to give me a lot more soldiers.

Our diplomats can very much keep us safe, and they can do it with less risk to our men and women who serve in the military and at less cost.

I suggest the absence of a quorum.

THE PRESIDING OFFICER (Mrs. ERNST). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KAINE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. KAINE. Madam President, I rise to speak concerning the nomination by President Trump of Rex Tillerson to be Secretary of State. I believe I am going

to be speaking a little bit this afternoon and possibly later. This will just be part of my remarks this afternoon.

First, I am going to say some positive things about Mr. Tillerson's career and the importance of the position, but then I want to talk about the reason for my opposition, which has to do largely with my concern about whether he is capable of exercising truly independent judgment on behalf of the United States, particularly given his 41-year career with ExxonMobil.

To begin, Mr. Tillerson has an exemplary record with ExxonMobil. I was impressed by it. I have been impressed by his business acumen. I think this one would, frankly, be relatively straightforward if he had been nominated for Secretary of Commerce. I think it would be relatively straightforward had he been nominated for Secretary of Energy.

That is an interesting aspect of some of these nominations. I think there are some people who are up who—if they were in other positions, they might be easier, but because of the ones they have been nominated for, it has made it a little more difficult. I put Mr. Tillerson in that category.

Secretary of State is an enormously important position. We all know that it is important, but we, even for the public, separate the Secretary of State position from others.

There are four Cabinet Secretaries who by law are not allowed to be involved in political campaigns. They can't go out on the campaign trail during election season. They are designated as "special," and I think they are special for a reason—Secretary of Defense, Secretary of State, Secretary of Treasury, and the Attorney General. The reason these four positions are made separate, in my view, is they are positions that are supposed to have a special gravity, positions that are supposed to be above politics. They are also positions that are supposed to have a degree of independence.

An Attorney General needs to have a degree of independence from a President because that individual must weigh in on the legality of actions even of the administration in making decisions. I think the Secretary of State needs some independence and gravitas as well. That is why the Secretary of State position is such a special one.

I want to focus on this area of independence and the independence I wanted to see in a Secretary of State Tillerson and that I did not feel comfortable enough after the research I have done and after the hearing itself. It fits into three basic categories—issues with respect to climate, issues with respect to Russia, and issues with respect to the development policy that the United States uses in nations around the world, including very poor nations that are resource rich but often find that their oil reserves or other natural resources put them into kind of a resource-cursed position where, resources notwithstanding, they

actually trend toward authoritarianism and keeping their citizens in poverty.

Let me start with climate. Climate is an enormously important issue in Virginia, as it is to all States, but to give you kind of the Virginia focus on climate issues, Virginia voters overwhelmingly believe that humans are affecting climate and that something should be done about it. We have 134 counties. The eastern part of Virginia—Hampton Roads, near the Atlantic—is the second most threatened area in the United States to sea level rise. So if you go to Hampton Roads, VA—1.6 million people, the center of naval power in the United States and the world—what you find is sea level rise accelerating to the extent that neighborhoods where you could once sell a house, you can't sell it anymore. Flooding that was once every few years is now regular.

Even our Nation's military operations in Hampton Roads are jeopardized. There is a main road leading into the Norfolk Naval Base, which is the largest naval base in the United States—the largest naval base in the world. That road is increasingly flooded just during normal tidal conditions. We are not talking about storms; we are talking about normal tidal conditions. The inability to get road access into America's center of naval power is highly challenging, highly problematic. In the future, it is going to be very expensive for us.

So the climate change issues in Hampton Roads—whether it is affecting your ability to sell a house, the ability to conduct naval operations—and in many other areas is of deep concern to my State.

There are climate issues in other parts of my State, from weather patterns to warming temperatures wiping out species in the Shenandoah National Park because as the temperature warms, the species need to move higher and higher, and at some point they can't move any higher. So there are endangered species in the Shenandoah National Park because of climate issues.

The issue is not only important to my State, it is a critically important part of the job. The Secretary of State in the previous administration was involved in crafting the Paris climate accord. Nearly 200 nations agreed that climate change is a huge problem and that we have to do something about it, and each nation came forward voluntarily to craft its own plan so that the world could deal with this problem.

The U.S. played a critical role—Secretary Kerry and others—in forging this global coalition around the overwhelming scientific consensus. The Secretary of State in this administration, along with others—the EPA Administrator—will play a key role in determining whether we continue to take seriously climate, whether we continue to take seriously the promises we made under the climate accord, or whether

we go backward. I don't want to go backward because it would hurt my State and hurt our country and hurt the world.

During my examination of Mr. Tillerson during his confirmation hearing before the Senate Foreign Relations Committee, I was not happy with the answers with respect to climate issues. The overwhelming majority of scientists say that climate change is real and that it is caused significantly by the burning of fossil fuels and the release of CO<sub>2</sub>. This is not a controversial conclusion; it should not be partisan, either.

The first climate bill that was introduced in this body was introduced by Senator McCain in 2004. Then, in 2007, a predecessor of mine, Senator Warner of Virginia, a Republican, and Senator Lieberman of Connecticut, a Democrat, introduced a bipartisan bill. Senator Warner, now retired—John Warner—still speaks regularly on the national security implications of climate change.

During the hearing before the Senate Foreign Relations Committee, I examined Rex Tillerson about the role of ExxonMobil in climate research. ExxonMobil is a company that is chock-full of engineers and scientists. It is one of the most accomplished companies in the world if you just measure it by the extent of engineering and science talent that it has.

There has been a series of investigative articles in the last few years in the Los Angeles Times, the New York Review of Books, and Inside Climate News that get into the question of what ExxonMobil knew about climate science and what they told the public. I wanted to ask Mr. Tillerson about this. Some of the information that I put on the table during that examination: There was an internal letter in September of 1982 from Exxon's Theoretical and Mathematical Science Laboratory. This was during the time Mr. Tillerson was working for the company.

I want to read a quote from this letter which I put into the RECORD as I was examining Mr. Tillerson:

However, over the past several years a clear scientific consensus has emerged regarding the expected climate effects of increased atmospheric CO<sub>2</sub>. . . . There is unanimous agreement in the scientific community that a temperature increase of this magnitude would bring about significant changes in the earth's climate. The time required for doubling of atmospheric CO<sub>2</sub>—

Doubling of atmospheric CO<sub>2</sub>—depends upon the future world consumption of fossil fuels. There is potential for our research to attract the attention of the popular news media because of the connection between Exxon's major business and the role of fossil fuel combustion in contributing to the increase of atmospheric CO<sub>2</sub>. . . . [O]ur ethical responsibility is to permit the publication of our research in the scientific literature; indeed, to do otherwise would be a breach of Exxon's public position and ethical credo on honesty and integrity.

In other words, by 1982 the key scientific research organizations within

ExxonMobil, which has a sterling cadre of scientists and researchers, said: Here is our view of the scientific research—and not just other scientific research, they did their own studies to replicate it. They concluded that the burning of fossil fuels was going to lead potentially to a significant increase in global temperature, with catastrophic climate effects.

There is other information as well that ExxonMobil had within it during Mr. Tillerson's tenure with the company. But by 2000, ExxonMobil in its face to the public was saying something very different. Despite the internal recognition of climate science and the potential effects on the economy and on our atmosphere and despite scientists with ExxonMobil saying we have an ethical duty to share these facts with the scientific community, by 2000, ExxonMobil was publishing, in major publications in this country, op-eds—full-page op-eds in newspapers and magazines. I am going to read a quote from one, an ExxonMobil published op-ed in 2001:

Knowing that weather forecasts are reliable for a few days at best, we should recognize the enormous challenge facing scientists seeking to predict climate change and its impact over the next century.

Geological evidence indicates climate greenhouse gas levels experience significant natural variability for reasons having nothing to do with human activity. . . . Against this backdrop of large, poorly understood natural invariability, it is impossible for scientists to attribute the recent small surface temperature increase to human causes.

So, from 1982, there were scientists at ExxonMobil who were aware of it and were saying we have a duty to share this with the public and with our fellow scientists, but by 2000, in statements to the American public—all during Rex Tillerson's tenure at ExxonMobil—the company was taking a very different position.

I summarized this material during my examination of Mr. Tillerson before the Foreign Relations Committee, and I asked him: What do you have to say about this evidence and about the numerous public reports that ExxonMobil knew about climate science but made a decision to tell the American public something different? A pretty straightforward question from a Senator whose State is experiencing climate change, a pretty important question for a nominee who will be in charge of, as Secretary of State, carrying out our obligations under agreements, such as the Paris climate agreement.

Mr. Tillerson's answer to me was a little surprising. He said: Oh, I can't answer this. You are going to have to ask somebody at ExxonMobil.

He had stepped away from ExxonMobil a few days before the hearing. I was puzzled by it. So I went back to him and I said: Well, wait a minute. I want to make sure I got this right. You were at ExxonMobil for 41 years.

That is right.

You were an executive at ExxonMobil for more than half of your tenure there; isn't that right?

That is right.

You were the CEO of ExxonMobil beginning, I believe, in 2006; am I right about that?

You are right about that.

I am not asking the company's position. You now are no longer at ExxonMobil. I am asking you, as somebody who is going to be in charge of carrying forward America's obligations under the Paris climate accord, whether the allegation that ExxonMobil knew about climate science but chose to say something different to the American public—I am going to ask you if you can answer that question.

And he came back again and said: You are going to have to ask somebody at ExxonMobil.

I then asked Mr. Tillerson a really important question. I said this: Do you lack the knowledge to answer my questions or are you refusing to answer my questions?

And he said: A little bit of both. A little bit of both.

And I said to him: You have been there 41 years. I have a hard time believing you don't know the answer to this question. I think you are refusing to answer my question, and he didn't comment on that.

I then followed up with one more question to Mr. Tillerson that I also think was important because I am a lawyer, and I just wanted to make sure I understood this. I asked him: Are you sitting here today subject to any kind of a confidentiality agreement that would prohibit you from answering the question I just posed to you? And he said no, that he was not.

I asked Mr. Tillerson these questions because I am deeply interested in climate change. It affects my State in a significant way, and it is directly relevant to his job, but I asked him for another reason as well. I am just going to talk for a minute about the reason, and I am going to yield to my colleague from Oregon and return later this evening on the other points.

The reason I was asking Mr. Tillerson about this was not just his awareness of science, I was asking him to see whether at this point, as a nominee for Secretary of State of the United States, he could set aside a 41-year loyalty to his previous employer, ExxonMobil, and instead focus solely on his obligations to this country if he were to be confirmed as Secretary of State.

I believe he knew the answer to the question I asked him, and he told me he was not under any legal agreement that would bar him from answering my question, but he, nevertheless, refused to answer my question. When I challenged him on it and said: You are refusing to answer my question, he basically agreed that was the case.

I think we are entitled to a Secretary of State who can set aside any other loyalty, including an understandable loyalty to an employer of 41 years, and exercise complete and independent judgment on behalf of the interests of

this country. The refusal of Mr. Tillerson to answer my questions about a matter clearly within his knowledge, clearly within the job description of Secretary of State and deeply important to my Commonwealth, led me to have significant doubts about whether he could separate his previous employment from his independent obligation to this job, should he be confirmed.

I am going to have more to say on a couple of other issues related to this independence point when I return later this evening.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. KENNEDY). The Senator from Oregon.

Mr. MERKLEY. Mr. President, I appreciate my colleague's contributions and his insights, representing Virginia and representing the United States.

I must say that all of us were quite frustrated by the hearing we held with Rex Tillerson. We know that America needs a strong and capable Secretary of State. We have many great power issues to wrestle with—certainly with Russia, certainly with China. We know we have many emerging powers around the globe that will raise issues relevant to the security of the United States and the economy of the United States. We know the Secretary of State plays a key role in shaping our policy toward impoverished nations and how we might facilitate their growth and enhance our Nation's relationship with them. Nuclear strategy is always an extremely important role.

This position is perhaps the most important position in the administration, second to the Presidency, and it is for that reason that we are weighing with such intense attention.

Already we have challenges that have been raised by the conduct of our President over the last 12 days. We have, in 12 days, seen actions by President Trump that have diminished our Nation's standing in the world, that have offended many of our international neighbors and allies, that have weakened the security of our country. So we need a capable Secretary of State. We need that person soon.

Certainly one piece of the pattern we have seen is a new low in the relationship with the leadership of Mexico on our southern border, but we also have seen actions that have offended over a billion people in the world through the Friday night Executive order banning immigration from seven Muslim-majority nations along with an order affecting refugees fleeing the ravages and devastation of war in many places, but Syria is specifically singled out for a longer period of time.

The President said, well, this is not, in fact, a Muslim ban and that it is about the security of the United States of America, but he is certainly wrong on both counts. All the nations singled out are Muslim-majority countries. Not a single immigrant from any of those countries has killed an American in a terrorist attack, and the President



made a very specific point, saying there would be exceptions for Christians, meaning there would not be exceptions for Muslims.

One of his advisers, Rudy Giuliani, even said explicitly that the President had wanted to do a Muslim ban and asked him how to do it legally. So the intent is crystal clear that this is a ban founded in religious discrimination, and a policy based on religious discrimination has no place in our Nation. It is completely incompatible with our traditions and our principles of religious liberty.

We are a nation built by immigrants, founded by men and women seeking safety from religious persecution, adding to the sense that this position is wrong and abhorrent. It goes against the fundamental building blocks of our Nation and everything we stand for.

If our history and our fundamental values aren't enough, then we need to consider the danger this ban represents for our national security. Much of our efforts in the Middle East involve close partnership, close teamwork with the leaders of Muslim nations.

Taking on ISIS involves close coordination and close teamwork with the leadership of Muslim nations. In fact, we should be very aware that ISIS uses as its recruiting tool that the United States is conducting a war on Islam, and the President's actions feed directly in and serve the ISIS recruiting strategy.

The world has reacted with furor. Over the weekend, more than 4,000 Oregonians attended a pair of my townhall meetings. The first meeting was in a room about this size, and I was astounded to see 600 people just jammed in, just crowding it. It was the largest townhall I had ever had. I do 36 townhalls a year, open forum. People can come and ask anything they want.

Then I went to my second townhall, and it wasn't 600 folks. It was 3,700 people who turned out just because they heard that a Senator was holding a townhall, and they wanted to make their voices heard about how wrong they thought it was, the direction that President Trump is headed. A key piece of that was certainly his ban on Muslims entering our Nation.

Protests erupted at airports all across our country. I went out on Sunday to the Portland Airport. It had been informally organized, the protest at 2 o'clock, and I got out there about 2:15. People were pouring in. There may have been somewhere around 1,000 people by the time I could get out onto the upper level deck of the two levels of the airport—the level at which people are arriving for their flights—to be able to speak to people.

The condemnation and opposition didn't just come from the grassroots across America. It didn't just come from the spontaneous voices of American citizens who value religious liberty, value our traditions, value their understanding of our Constitution and wanting to send a message to President

Trump that he was violating each and every one of those things, that opposition came loud and clear from international leaders as well.

Our Canadian neighbors made sure the world knew they welcomed the immigrants and refugees that America had slammed the door on.

German Chancellor Angela Merkel called the President to remind him of our Nation's responsibilities, as signatories to the Geneva Convention, to take in refugees. It is quite embarrassing that a European leader has to call an American President to educate him about the Geneva Convention.

France's President Francois Hollande has called for a firm European response to this ban; the United Kingdom, whose Prime Minister Theresa May just met with President Trump last week, came out against the order; and more than a million Britons signed a petition to have the British Government rescind its invitation to President Trump to travel to London for a state visit.

Iraq, Iran, Brussels, Scotland, Norway, nation after nation have come out to protest this terrible, dangerous policy.

It is going to be up to our next Secretary of State to repair and rebuild these relationships and the reputation of the United States of America. So much damage has been done in just 12 days.

My colleagues Senator McCAIN and Senator GRAHAM said in a statement this weekend: "This Executive order sends a signal, intended or not, that America does not want Muslims coming into our country," and indeed it does.

So is Rex Tillerson the right individual to set our Nation back on a firm and steady course? Is he the right person to guide us through this volatile international landscape, where we need to rebuild alliances and restore leadership?

In short, the answer is that Rex Tillerson is not the right man to do it.

Forty years in the oil and gas market, 40 years in an oil company are good preparations for leading an oil company but not good preparation for leading the United States of America in international relations, not good preparation for serving as our top diplomat, putting out fires, calming fears, communicating our policies to the world in this volatile moment in history.

During the hearing, there were a series of questions really related to one's moral compass in leading the foreign policy of the United States of America. One of the questions I asked about was Exxon's effort to set up a subsidiary to evade American sanctions on Iran and what did he feel about that as a leader of Exxon. He responded by saying: I don't have any memory of this. Really? The top management of Exxon decides to set up a subsidiary to circumvent American sanctions on Iran with a great deal of national security at stake, and he has no memory? Well,

that was certainly a disappointing comment and an unbelievable statement.

How about when we asked him about Exxon lobbying against U.S. sanctions on Russia because of its annexation of Crimea and the holding of territory in the eastern part of Ukraine? He said: Oh, Exxon didn't lobby on this. Yet the lobbying reports were right there. We have transparency on this. Millions of dollars were spent lobbying on this issue, and they certainly weren't lobbying for U.S. sanctions. This was a second extraordinary statement by the nominee.

I then asked the nominee about Exxon's pattern of working with dictators to take the royalties for oil and funnel them to the dictator's family rather than to the treasury. This is particularly true in Equatorial Guinea where President Obiang has declared himself President for life. His response was simply: But Senator, we weren't successfully prosecuted for violating the law. That is not a statement related to moral compass and understanding. Certainly, when a company takes a nation's treasure and diverts it into the pockets of a dictator, you are affecting the lives of hundreds of thousands of people. Certainly, the people of Equatorial Guinea are a poor people who could use those resources for health care, for transportation systems. The President of Equatorial Guinea is famous for filling a plane with fancy sports cars from Europe and flying them to Equatorial Guinea. And how does he do that? Because Exxon steered the royalties for that nation's oil into the pockets of the dictator, but we didn't get any sense that there was any concern about the impact that it had on the people of that nation.

Members of the committee asked him about the extrajudicial killings by police officers in the Philippines—the extrajudicial killings ordered by President Duterte. Young men were shot down in the street. I think at last count an estimated 4,000 to 6,000 young men were assassinated in the street, and he simply said: I need to get more information. This is not something that has been hidden on the back pages of the newspaper; this is something fundamentally contrary to the principles of due process and justice that our Nation stands for. Couldn't the nominee have expressed that this is completely in violation of our core principles? But he had no ability to do so.

We come then to global warming, an impact that is occurring right now on the ground in my State. The burning of coal, oil, and natural gas, causing an accumulation of carbon dioxide and an accumulation of methane, is resulting in the acidification of the ocean. That is causing oysters to have difficulty reproducing because it affects the formation of their shells at the beginning of their life. The higher acidity makes it harder to form shells.

We see global warming in Oregon in terms of a longer fire season with more



intense fires. It is burning more forest there than ever before. We see it in terms of a lower average snowpack on the Cascades that is causing significant drought and smaller and warmer trout streams. This isn't some strange phenomenon that we imagine might happen in the future; it is happening at this moment. We have high tides that are now covering the sidewalks of cities on sunny days. We have moose dying of ticks because it is not cold enough to kill the ticks in the winter. We have lobsters off Maine traveling further into Canada while they start to get fish from the Carolinas. It is everywhere we look. It impacts the economy of our country, particularly our rural economy of fishing, forestry, and farming. His response was simply: We need to keep talking to people about it. He says it is an issue, not particularly urgent, not necessitating American leadership, but just something we should be at the table for—not at the table to urge others, just be at the table. That certainly misses the size of this challenge to our planet.

Here we are, 12 days into the Presidency with major international problems occurring, and we have a nominee who, on issue after issue after issue, lacked a moral compass or insight about the complexity of issues, about the principles of our Nation. So for these reasons, I am voting against the nominee.

I may well be back to extend my remarks at another moment, but I am delighted to yield to my colleague from New Mexico who is standing by to make his remarks.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, thank you for the recognition, and I thank Senator MERKLEY very much for yielding.

I have been here on the floor, listening to Senators KAINE and MERKLEY, and I saw Senator CARDIN speaking earlier from my office. We can see that for many of us who sat through these hearings and heard the answers, it didn't give us a lot of confidence that Rex Tillerson was going to be able to step in and be the top diplomat for the United States of America. So I join in all the comments that have been made earlier.

I want to talk about one of the issues that has developed over the last couple of days and that really has bearing on this. For the last century, the United States has led the world stage. We are the inspiration for countless nations as they nurture hopeful democracies—democracies that respect human rights and individual liberties. We are a nation of freedom, where men and women can work hard, build a happy, healthy life, and live the American dream. That is what makes President Trump's anti-Muslim, anti-immigrant actions last week so repugnant.

I believe his actions violate the Constitution. They also violate everything we stand for as a country. Turning our

backs on refugees and those seeking a better life doesn't project strength. It shows weakness. It fuels anti-American rage around the world. Our Nation doesn't punish innocent people because of what they believe and who they pray to. We don't slam the door in the faces of those who need help the most.

I call on all of us, especially my colleagues across the aisle, to denounce this action and the people behind it. I am relieved that Federal judges around the nation are blocking the President's unconstitutional order, and I am also very proud of our strong constitutional system of checks and balances.

I can't express adequately how proud I am of Sally Yates, the Acting Attorney General who was fired by President Trump. Now you have to know something about her. This is a very courageous person who stood up and did the right thing. Sally Yates is a career prosecutor. She has served as a U.S. attorney in the U.S. attorney's office under Democrats and Republicans—a career prosecutor. When she was put up for a vote in the Senate, she got 84 votes when she was approved for Deputy Attorney General of the United States. This is someone who understands what is going on, understands the Constitution, and understands her legal obligations. She stood up and said that she wasn't going to represent in court the President on this Muslim ban, and he fired her. He fired her.

These kinds of actions are disturbing. They are un-American acts, and they are the most urgent reason I rise today to state that I cannot support confirming Rex Tillerson as Secretary of State.

There is no doubt that Mr. Tillerson was qualified to run ExxonMobil. Exxon was his first job out of college, and the only company he worked for during his 40-year career in the oil and gas industry. There is no doubt that Mr. Tillerson, as CEO and chairman of ExxonMobil, was 100 percent committed to making sure the best interests of the company's shareholders were served. But with no diplomatic experience or history of public service, I am not confident that Mr. Tillerson is qualified to serve as the United States' chief diplomat.

After studying his work and studying the history and his responses at the confirmation hearing and looking at his answers in writing, I do not believe that Mr. Tillerson is able to commit 100 percent to serving the best interests of the American people. Negotiating the complexities of oil and gas deals is not the same as negotiating the complexities of treaties and agreements with foreign governments.

ExxonMobil's top priority is profit. That is its reason for existence. Leaders negotiate business deals over money and access to resources. The United States and the American people have different priorities—sometimes conflicting priorities.

Our Nation is economically successful, for sure, and we value business and

we value making money, but our core values go way beyond economics. We value representative government, we value human rights, and we value freedom of speech. We value the four freedoms that President Roosevelt talked about when we entered into international agreements to spread the four freedoms around the world.

An incoming Secretary of State should not be learning on the job. He or she should already have substantial relevant experience. He or she should already have proven experience fighting for our Nation's core values, for human rights. Mr. Tillerson made it clear during his hearing before the Senate Foreign Relations Committee that he lacks substantive foreign policy experience and knowledge. He told the committee many times that he was not familiar with the issues at hand or needed briefing. He must have said that a number of times. As just one example, Mr. Tillerson was unfamiliar with Russia's role in the indiscriminate slaughter of civilians in Syria. He had no opinion of the legality of the slaughter under international law. These are some of the most important, most urgent foreign policy matters we face, but he was unprepared to answer them.

Like Senators on both sides of the aisle, I am concerned about Mr. Tillerson's close personal business ties to the Russian Government. I am concerned about those. They may color his view of Russia. He has been long friends with Vladimir Putin. He has a highly profitable relationship with Igor Sechin, the head of the state-owned oil company Rosneft. I worry that these ties make it difficult or maybe even impossible for him to objectively evaluate Russia's actions and to act in America's best interests.

Are his close ties to Russia why he does not condemn Russia's actions in Syria? We cannot be sure. Mr. Tillerson also will not confirm whether he will advocate maintaining sanctions against Russia for invading Crimea. We know that the sanctions also continue to cost ExxonMobil because it is not able to drill for oil in Russia's Arctic.

Will Mr. Tillerson not commit to maintaining sanctions because of his ties to Russia? We cannot be sure.

In a third example, Mr. Tillerson would not commit to sanctions against Russia for its interference in our Presidential election. He said he didn't have enough information. Well, every U.S. security agency—all 17 of them—has concluded that the Russian Government hacked the Democratic National Committee, disclosed email from the hack from getting in there, and tried to influence our election. They agreed that these actions were authorized at the highest levels of the Russian Government, with fingers pointing right at Vladimir Putin. The intelligence community's public reports stated it this way:

We assess Russian President Vladimir Putin ordered an influence campaign in 2016

aimed at the U.S. presidential election. Russia's goals were to undermine public faith in the U.S. democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency. We further assess Putin and the Russian Government developed a clear preference for President-elect Trump—

Now President Trump—

We have high confidence in these judgments.

So 17 of our intelligence agencies pooled together all of their information, and they had high confidence in what they concluded there.

Mr. Tillerson had adequate information to make a strong statement against this attack, against this hacking, and in favor of American democracy. He did not make such a statement.

We must have a Secretary of State whose allegiance is 100 percent committed to U.S. interests. Mr. Tillerson's equivocating testimony on Russia did not convince me that he can be counted on to serve America's interests and America's interests only. Mr. Tillerson's equivocations mirror the Republicans' record on Russian interference in our democracy.

While the President has plans to dismantle the post-World War II international order, Republicans have done nothing to address Russia's attempt to dismantle our democracy.

I was also unsatisfied by Mr. Tillerson's answers on climate change. While he acknowledges the existence of climate change, he testified that "our ability to predict that effect is very limited" and that what action to take "seems to be the largest area of debate existing in the public discourse." That is not what the overwhelming majority of scientists tell us. Our ability to predict what is happening to the planet's climate is not "very limited," and there is international consensus written into the Paris Agreement as to what actions nations agree they must take. Scientists from all over the world have joined together through the United Nations and said that climate change is real and we have to take specific actions.

I appreciated that Rex Tillerson at least said that he believes the United States should remain at the table, but he questioned a key part of the Paris Agreement: the nationally determined contribution, or what is called the NDC. Without the NDC from the United States, the agreement is likely to fall apart, and his claimed support for the Paris Agreement becomes meaningless.

I cannot be clearer: Ignoring the threat of climate change is a direct threat to the United States. We have heard other Senators talk about the threat to their States, and it is a direct threat to my home State of New Mexico.

While President Trump may be trying to quiet our climate scientists, the science is clear. Climate change is real. We just finished the hottest year in re-

corded history. We know we must act, and we know there will be devastating impacts if the United States does not lead on this issue.

No matter what one believes about science or foreign policy, we should all be alarmed at the lack of transparency in the new administration, especially the unwillingness of our President and key Cabinet members to be open and honest with taxpayers about their finances and potential conflicts.

While Mr. Tillerson has divested from ExxonMobil, we still don't have copies of his tax returns. Mr. Tillerson's ties to ExxonMobil are decades old. Yet he has said he will recuse himself from matters related to ExxonMobil for only 1 year. For only 1 year will he recuse himself. He has worked for this company his entire life. He should refrain from taking calls from his old company for as long as he serves as Secretary of State. He is serving the country. He is serving in a taxpayer-funded job. I don't understand why he cannot agree to this simple standard to avoid the appearance of any conflict. If he deals favorably with ExxonMobil, how can the American people know he is working for us or for his former employer, which made him an extremely wealthy man?

But most concerning to me is whether Mr. Tillerson will be able to speak truth to power. We have just seen this weekend how vital that will be in this administration, where it appears that there is no unifying vision, and different factions of President Trump's Cabinet are competing for his attention. We need a leader with a clear vision for America's role in the world, someone who will put American values ahead of everything else.

Too many times, when pressed during his confirmation hearing about U.S. interests and values, Mr. Tillerson did not give straight answers. On questions such as human rights violations in the Philippines and Syria, he did not call out these offenses for what they were. On questions about whether we should maintain sanctions against Russia for illegally invading Crimea or for interfering with our electoral process, he deferred; he wavered; he said he would decide at a later date when he can be briefed or meet with the President. If Mr. Tillerson can't give straight answers, from the heart, about the most pressing human rights issues, on violations of international law, on a foreign power's interference with our Presidential election, how can we expect him to speak up and temper the worst angels in the Trump administration?

If Mr. Tillerson were the nominee for a more conventional Republican President, these concerns would not be as serious. But I think every Senator can agree that Donald Trump is not a conventional President. He is offending allies and upending alliances on a nearly daily basis. He has made negative statements about the German Chancellor's domestic policies. He is threatening to extort the Mexican Gov-

ernment to pay for an offensive and ineffective wall on America's southern border. He has repeatedly questioned NATO, the fundamental alliance that has secured peace between major powers since World War II. He is threatening to slash funding for the United Nations, including the World Health Organization, which fights global pandemics.

While addressing employees of the Central Intelligence Agency, standing in front of a wall honoring professionals who have made the ultimate sacrifice for our freedoms, President Trump threatened to take Iraq's oil—that he wanted to take another look at taking Iraq's oil—and he said: "To the victor go the spoils." This is a line attributed to Julius Caesar, who decreed himself Emperor. He began rattling the saber with China before he was sworn in.

The President has done all of this while repeatedly praising Vladimir Putin as a strong leader and proposing to improve relations there, while making them worse nearly everywhere else.

This weekend, he closed America's doors to Muslim refugees trying to escape the very evil our government is fighting against. He not only closed the doors to people who believe in our democratic institutions and the freedoms we enjoy, he closed the doors to people who have risked their lives in service of our ideals.

These are not normal changes in foreign policy between administrations. I would change many aspects of U.S. foreign policy if I could. But President Trump's approach to foreign policy so far is one of reckless change that is frankly scaring the American public and our allies around the world. In such a foreign policy environment, we need experienced, skilled hands, people who understand these allies and who understand our longstanding alliances and why we have them. But the President has fired all U.S. Ambassadors, and most high-level State Department employees have resigned or been forced out.

Mr. Tillerson, there is no doubt, is a talented businessman. He loves his country. He has devoted himself to other worthy causes, like the Boy Scouts. It is no exaggeration to say that the post-World War II international order is under attack by the President, endangering U.S. leadership in the world. As a result, our national security and place in the world are threatened like never before. During such tenuous times, we need a leader as our chief diplomat who is prepared to take the reins and calm the waters. But I do not have confidence that Mr. Tillerson has the experience, knowledge, values, or temperament to stand up to the President, to be a voice of reason, or to moderate the President's extreme views and actions. For these reasons, I oppose Mr. Tillerson's confirmation as Secretary of State, and I urge my fellow Members, including those who claimed the mantle of President Reagan, to do the same.

I know my good friend Senator MARKEY, a member of the Foreign Relations Committee, is here on the floor, as well as Senator COONS, another member of the committee, and I think both of them will speak on the Tillerson nomination.

I yield to the Senator from Delaware, Mr. COONS.

The PRESIDING OFFICER. The distinguished Senator from Delaware.

Mr. COONS. Mr. President, after two long one-on-one meetings with Mr. Rex Tillerson, after a thorough confirmation hearing in the Foreign Relations Committee that stretched over some 9 hours, and after extensive additional research and reading and digging into his record, his public statements, and his views, I announced last week that I would oppose the nomination of Rex Tillerson to be Secretary of State of the United States.

I will say that over our meetings, our conversations, and my review of his record, I have come to respect Mr. Tillerson as a thoughtful and seasoned and capable professional in his line of work, with impressive international business experience. And I will say that his quick action to sever financial ties with ExxonMobil is a strong example that I wish President Trump had followed with regard to his own private business interests.

I found encouraging some of Mr. Tillerson's statements in the confirmation hearing and his public stances, including his commitment to NATO, his respect for U.S. leadership in multilateral initiatives, from the Paris climate change agreement to the Iran deal, and his support for development programs throughout the world but especially in Africa, a continent where I have been engaged in my 6 years on the Senate Foreign Relations Committee.

His nomination has the support of highly respected former officials, from Brent Scowcroft and Bob Gates to James Baker and Condoleezza Rice, former Secretaries and National Security Advisors.

But Mr. Tillerson and I disagree strongly on key issues. I believe, for example, that climate change is a pressing national security threat that must be addressed. Mr. Tillerson saw it somewhat differently. I believe in advocating for human rights, for a free press, and for democracy around the world because these principles advance our security and our economic interests here at home. I don't believe that human rights, press freedom, and democracy are add-ons, are things that we can address and deal with after national security is addressed. These are core to who we are as a nation and to the advocacy and engagement that I hope for and expect from our State Department and our next Secretary of State.

These are just a few of the reasons why I ultimately decided to oppose Mr. Tillerson's confirmation, but that is not why I have come to the floor today. I am here today principally because the

challenge we face is not whether a single nominee is the perfect person for this particular role; the challenge we and the American people now face is to determine the future we seek for our country and the world stage and whether we will choose to continue to lead the free world.

Do we envision the United States leading by example through actions that show we will stand by our values, especially when it is challenging or difficult? Do we envision the United States leading a coalition of democratic allies and Muslim partners around the world in the global fight on terrorism, defending each other and promoting values of human rights, the rule of law, and democracy? Or do we accept a dark and dystopian vision that sees the world in strict zero-sum terms whereby any win for our allies or partners is automatically a loss for America; a vision in which we could abandon our values for political gain; a vision that distances us from the world both by a literal wall and a growing gulf in priorities?

For decades, Republicans and Democrats have agreed on foundational principles of U.S. leadership in the world. We engage with the world. We consistently and reliably support our allies. We lead by example, especially on our core values. We fight for the rule of law, for human rights, and for democratic institutions because doing so makes us safer and more secure.

Consider our alliances. The Heritage Foundation accurately pointed out that supporting our allies overseas and in particular our treasured and enduring alliance with our NATO partners in Western Europe isn't charity but, rather, a proven method for keeping the United States safe and secure. As Heritage puts it, alliances prevent wars by driving up the cost of aggression. Alliances deter our rivals and adversaries. Alliances promote stability, help us project power, and enhance our legitimacy.

Why does this matter? Why is this a current matter of debate? Why is this a pressing concern in the context of this nomination and in the work of this body? Take, for example, Russia under Vladimir Putin. It is the unanimous view of all 17 U.S. intelligence agencies that Russia conducted and organized an intentional campaign of interfering in our 2016 Presidential election and that Russia conducted a cyber attack, authorized at the highest level, with the intention to influence the outcome of our election.

I cannot imagine a more direct frontal assault on who we are as a nation than to seek to influence our democratic election. But on top of that unprecedented attack on who we are as a nation, Vladimir Putin's Russia illegally annexed the Crimean Peninsula and continues to support the murderous Assad regime in Syria. Today, Russia is preparing—even threatening—to intervene in upcoming elections across Central and Western Eu-

rope, including elections in our longtime close allies, France and Germany. It has been amassing troops on the borders of our NATO partners, such as Estonia and the other Baltic States, and conducting snap exercises up and down the border with NATO. It is precisely because of these acts of aggression that the NATO alliance is more relevant and more important than ever.

These aren't groundbreaking or controversial conclusions that I am reaching today. Yet President Trump's rhetoric as a candidate, his early actions as President, his compliments to Vladimir Putin, his claims that NATO is obsolete, and his intimation that he may not honor our article 5 mutual defense commitment to our NATO allies all call into question the President's understanding of the role that our alliances play. It also calls into question whether his administration understands the consequences of weakening or abandoning these alliances.

More than perhaps any nation on Earth, the United States has deeply benefited from the stable world order that we helped shape following the Second World War. After Americans went throughout the world to fight the forces of fascism and imperialism in the Pacific and the European theater in the Second World War, we sat astride the world as the most powerful country on Earth, with weapons possessed by no other, with the greatest manufacturing and military might on the planet, and we set about establishing an inclusive, rules-based, democratically oriented world order, from which we have benefited more than any other nation. NATO has become a key part of the alliances that we have relied on for that peace and stability in the seven decades since.

Let's not forget that the only time NATO invoked its mutual defense provision article 5 clause was when our allies came to our defense after 9/11. So to suggest that NATO is obsolete or outdated because it wasn't developed in a time where terrorism was a central threat gives a lie to the reality that our NATO allies have stood shoulder to shoulder with us and have fought alongside American service men and women in Iraq and Afghanistan. Nearly 1,000 have given their lives, and our NATO allies have poured their blood and treasure into our defense and into our joint conduct against our enemies in Afghanistan and Iraq.

Interpreters from Iraq and Afghanistan have kept our troops safe, and yet today those espousing "America First" would break our promises to these vital partners. I have to ask: To what end? When we turn our backs on our allies and friends, there are consequences. They may be prompted to seek to help themselves in new or unexpected or dangerous ways, such as developing their own nuclear capability or seeking armaments from Russia rather than working in partnership with us for their own security. They may seek to find new allies who do not,

in fact, share our values. In all these cases, “America First” may gradually, tragically, become instead “America Alone.” That leaves us less safe and closes off economic opportunities around the world. So in seeking out a strategy that is purported to make us safer and stronger, President Trump may, in fact, accomplish neither.

A policy of “America First” doesn’t just mean turning our backs on our allies and partners. It may also mean turning our backs on some of the world’s most vulnerable people, with real consequences here at home. The Executive order signed by President Trump just on Friday, banning all refugees from the United States for 120 days, banning refugees for 90 days from seven countries and indefinitely from Syria, caused chaos and confusion at our airports and instilled concern—even fear—in American families across our country.

I have a key question today, introduced earlier by Senator CARDIN, the ranking Democrat on the Foreign Relations Committee, but not yet answered: Where does Rex Tillerson stand on this Executive order? How does he see it in our place in the world? How does he understand the centrality of the example that we show to the world in how we embrace human rights?

Sadly, I think this Executive order has validated the claims of jihadist groups like ISIS that recruit young men on the false claim that the West is at war with Islam, which is why these very terrorist groups are today cheering this Executive order. I think it has made us less safe by alienating Muslims in the United States and around the world. Why would we want to alienate the very Iraqis with whom we are training, serving, and fighting in the war against ISIS when they are a critical part of the ground forces that we are counting on to liberate Mosul from the tyranny of ISIS?

Most significantly, this Executive order may violate our Constitution and values by banning people based not on security concerns but on the basis of their religion, and by turning our backs on a decades-long commitment to welcome those fleeing credible fears of persecution, fleeing violence and chaos in their home countries. These may be the consequences of “America First.”

It is well known but bears repeating that in 1939, a ship called the *St. Louis* approached American shores bearing nearly 1,000 mostly Jewish refugees fleeing the horrors of the Nazi regime and the impending Holocaust. In one of our Nation’s most shameful chapters, the United States turned away these refugees seeking our shores. One passenger on board the *St. Louis* received a telegram from the U.S. Government instructing him that passengers must “await their turns on the waiting list and qualify for and obtain immigration visas before they may be admissible.” Most of these refugees were forced to return to Europe, where they were murdered by the Nazis.

This tragic episode from 1939, born of isolationism and, tragically, anti-Semitism and a mistaken sense that we could isolate ourselves from the challenges and the violence of the world was also part of a period when a group whose name was the America First Committee mobilized to try to prevent our entry into the Second World War.

I will say that these are the consequences of “America First.” The United States ultimately is less safe. Our allies may be made to feel uncertain or even betrayed. Americans will find themselves more fearful, and, our values, with which we have sought to lead the world, are cast aside.

That is why I believe this debate today is about far more than a single nominee for an important post in our State Department. American leadership on the world stage is not as simple as “America First,” and the consequences of truly embracing the dystopian vision of “America First,” I think, will be tragic.

If Mr. Tillerson is confirmed, it is my sincere and earnest hope that he will challenge President Trump to rethink the dark and dystopian view of the world that he laid out in his inaugural address, and that he will instead bend his skills, character, and qualities to the hard work of realigning our role in the world to the course that Republicans and Democrats together have steered from this floor and from this body for seven decades.

As the world saw last weekend, the new Trump administration desperately needs someone in the room to speak truth to power and to temper its worst impulses.

I yield the floor.

Mr. MARKEY. Mr. President, will the Senator from Delaware yield?

Mr. COONS. Mr. President, I yield the floor.

The PRESIDING OFFICER. The distinguished Senator from Massachusetts.

Mr. MARKEY. Mr. President, the Senate’s advise and consent role is one of our most important duties as Senators, and the Secretary of State is one of the most important nominations we will consider. The Secretary of State is America’s chief diplomat, and he should project America’s values to the world.

Yesterday, I joined Senator SCHUMER in calling for a delay on Mr. Tillerson’s vote on the Senate floor until we hear from him about President Trump’s Muslim ban.

Turning away refugees based on their nationality and religion is un-American, it is illegal, and it is immoral. This Muslim ban is propaganda for ISIS. It is a recruiting gift to terrorist groups around the world and in our own country. It will increase the risk of harm to Americans everywhere, including here at home. Donald Trump is sending a message to Muslims around the world that they are all suspects. This has profound implications for our ability to work with governments in

the Middle East in the fight against terrorism. One of the countries named in this Executive order is Iraq, our closest ally in the fight against ISIS. Conflict and war is forcing millions around the world from their homeland. Donald Trump’s Muslim ban directly undermines our historic commitment to international cooperation and international refugee aid. That is why world leaders have joined the chorus of millions of Americans who do not support the Muslim ban.

America has always been a beacon to those fleeing persecution and violence. We are a refuge for those seeking a better life. The poetic inscription at the base of the Statue of Liberty does not say: Send back “your tired, your poor, your huddled masses yearning to breathe free.” As our top diplomat, Mr. Tillerson will be in a position to work directly with the nations named in this Executive order, and we need to hear how he believes it will impact our standing around the world.

With respect to Mr. Tillerson’s nomination, I have very serious concerns. Rex Tillerson could have enjoyed his retirement after spending more than 40 years at ExxonMobil. Instead, he answered the call to enter public service, and I commend him for that. His record at ExxonMobil is one that clearly has received accolades. He did a good job for ExxonMobil. He is highly respected in the oil industry. But public service requires the public’s trust, and Mr. Tillerson will not have that trust unless he agrees to recuse himself from participating in decisions that would affect ExxonMobil for the entirety of his term. So far, he has refused to do so.

Our laws require Federal officials to recuse themselves when a reasonable person could question their impartiality. Before President Trump nominated him to be Secretary of State, Mr. Tillerson worked for one company—ExxonMobil—for virtually his entire adult life. As he rose to become a senior manager and then CEO, Mr. Tillerson was personally involved in getting lucrative oil deals in a number of countries, including Russia. In fact, during Mr. Tillerson’s time as CEO of ExxonMobil, the company expanded its drilling rights in Russia to 63 million acres. That is an area the size of Wyoming and nearly five times the size of Exxon’s holdings in the United States.

But Mr. Tillerson didn’t just deepen the relationship between his company and Russia. He also tried to protect that relationship by speaking out against sanctions on Russia. As a reward for personally cementing Exxon’s relationship with Russia, President Vladimir Putin awarded Mr. Tillerson the Russian Order of Friendship.

The stakes with U.S.-Russia relations could not be higher. Russia has invaded the Ukraine, annexed Crimea, bombed innocent civilians in Aleppo, and attacked our elections with cyber weapons. Our next Secretary of State will be negotiating with Russia on

some of the most critical foreign policy issues facing the world.

Mr. Tillerson's decades-long history at ExxonMobil and Exxon's vast holdings in Russia clearly create a conflict of interest. How can the American people be sure Mr. Tillerson will be objective when he participates in matters relating to sanctions on Russia or in any matters that could affect Exxon in the dozens of other countries in the world where Exxon operates?

As the top ethics lawyers for Presidents Bush and Obama have said, these conflicts could require Mr. Tillerson to recuse himself from any matters affecting ExxonMobil, irrespective of his financial divestitures. When I asked Mr. Tillerson during his confirmation hearing whether he would commit to recuse himself without waiver or exception from matters affecting Exxon for the duration of his tenure as Secretary of State, he refused. That is unacceptable. The American people and the national security of the United States demand a Secretary of State whose impartiality is unambiguous.

Make no mistake, the stockholders of ExxonMobil would have serious questions about hiring the leader of the Sierra Club to be the new CEO of Exxon. We, too, should have questions about hiring ExxonMobil's former CEO to be America's chief diplomat.

If he agreed to recuse himself, Mr. Tillerson would be following a tradition that is longstanding and bipartisan. Secretary of State James Baker recused himself from participating in any matter that could affect the price of oil and gas. Treasury Secretary Hank Paulson promised not to participate in any matter where Goldman Sachs was a party. And all of President Obama's appointees recused themselves from any matters related to their former employers or clients. Mr. Tillerson's refusal to follow their example will call into question his impartiality, and it could undermine his effectiveness as Secretary.

During his confirmation hearing, Mr. Tillerson displayed an alarming lack of understanding of oil's role in geopolitics—clearly a consequence of having worked solely at Exxon—that disqualifies him from being Secretary of State.

When I questioned him, Mr. Tillerson told me that he never had supported U.S. energy independence. He told me that he didn't agree that reducing America's demand for oil and our reliance on foreign oil imported from the Middle East would strengthen our negotiating position with oil-producing nations.

We as a nation still import 5 million barrels of oil every single day into the United States. Three million of those barrels a day come from OPEC members, such as Saudi Arabia, Iraq, and Nigeria. ExxonMobil has energy interests in each one of those countries. And we are still exporting our own young men and women in uniform overseas to defend those energy interests every single day.

Mr. Tillerson is looking at the world through oil-coated glasses. He may have gotten rid of Exxon's stock, but he hasn't gotten rid of Exxon's mindset.

Mr. Tillerson's answers to questions about climate change—the global generational challenge of our time—are a cause for extreme concern. Although he recognized that climate change is real and human activities influenced it, he would not commit to continuing action on it as a foreign policy priority. Throughout his hearing, Mr. Tillerson would only say that he wanted to keep a seat at the table of climate negotiations. The United States needs to have more than a seat at the table; we need to be at the head of the table.

In December 2015, 150 heads of state gathered in support of finalizing the Paris climate accord. It represents a global solution to the problem of global warming in which all countries commit to doing their fair share. Instead of strengthening this historic accord, Mr. Tillerson indicated that all treaties and agreements to which the United States is a party would be up for review by President Trump.

America needs a Secretary of State who will lead the world to fully realize the clean energy revolution that will help us avoid the catastrophic impacts of climate change while creating millions of jobs. To abandon the Paris climate accord would be to abandon our clean energy future. We cannot roll back years of progress cutting dangerous carbon emissions or deploying clean energy solutions.

For 41 years, Rex Tillerson's world view has been to advance the interests of one place and one place only—ExxonMobil. Confirming Mr. Tillerson as Secretary of State would be turning over the keys of U.S. foreign policy to Big Oil. Big Oil's interests are not America's interest. If Mr. Tillerson were to negotiate with Russia and President Putin, whose interests will he represent—those of Big Oil or those of the American people? I still do not have satisfactory answers to that critical question. For those reasons, I cannot vote for his confirmation.

I thank you for allowing me to speak at this time on the Senate floor.

I yield to the Senator from Connecticut, Mr. MURPHY.

THE PRESIDING OFFICER (Mr. RUBIO). The Senator from Connecticut.

Mr. MURPHY. Mr. President, since assuming office on January 20, which is just 11 days ago—I don't know, it kind of feels to me like it was 11 months ago; this is going on in a horrible, nightmarish slow motion—the Trump administration has assumed responsibility for our Nation's national security. There are a lot of jobs the President has, this new administration has, but that is at the top of the list—guaranteeing this country's security and, frankly, being the guarantor of global security.

Leaving aside some of the broader systemic challenges that we face in the

world, let's just look at what has happened since the inauguration.

Yesterday, Iran reportedly conducted another ballistic missile test. President Trump criticized President Obama on Iran for being too soft. Now it is his turn to get China and Russia to agree to a Security Council resolution condemning this test and taking punitive action.

On Sunday, extremist groups all around the world celebrated the Trump administration's ban on travel from seven Muslim-majority countries. Comments that were posted to pro-Islamic State's social media accounts predicted that the Executive order would serve as a recruiting tool for ISIS. One posting said that Trump's actions “clearly revealed the truth and harsh reality behind the American government's hatred towards Muslims.” Another posting hailed Trump as “the best caller to Islam.” Another one talked about the ban being a blessed ban, which is a reference to what militant leaders called the invasion of Iraq, which was hailed then as the blessed invasion, becoming the cause celebre, as the intelligence community called it, for the global jihadist movement.

Immediately following the first phone conversation between Trump and Putin, the conflict in Ukraine flared up. Likely not coincidentally, 8 Ukrainian soldiers were killed and 26 were wounded just since Saturday.

In the Balkans, where Russia has been just recently again steadily increasing in influence, as Europe is pulling up the doors on its new perspective members, Serbia sent a train emblazoned with the motto “Kosovo is Serbia” up to the border of Kosovo. It turned around, but as a result, troops and security forces reportedly scrambled to the border from both sides.

I am not suggesting that all of these bad things happened because Donald Trump was inaugurated. I listened to my colleagues explain all of the world's troubles for 8 years through the lens of responsibility to the Obama administration. But this is all an advertisement for a very simple idea—that this is probably the absolute worst time to have the first American President with no government experience and no diplomatic experience pick the first Secretary of State with no government experience and no diplomatic experience. This is not the moment for on-the-job learning. Yet that is what we have so far.

Granted Mr. Tillerson is not in place, but President Trump's foreign policy up to this point has been tragically amateurish. Witness the invitation for the Mexican leader to come to the White House, worked out in painstaking detail, an opportunity to show, despite the furor and rhetoric of the campaign, solidarity between the American and Mexican people, and then Donald Trump sends out a tweet daring the Mexican leader to cancel the meeting, which he promptly does, erupting threats of a trade war.

Witness Friday's Muslim ban, which now has Muslim nations all around the world rethinking their relationship with the United States, sending this dangerous message to people all around the world that you have no home in the United States if you practice one particular faith.

It begs the question as to whether Mr. Tillerson is going to be able to right this ship, having no experience working on almost every single one of these issues that confront us around the world. It is not the same thing to run a global business and run the State Department.

Frankly, I would argue that Mr. Tillerson's experience—even if you believe he did a good job for Exxon, it doesn't advertise him as a good candidate for Secretary of State. In fact, we have reason to fear that Mr. Tillerson would run the State Department like he ran Exxon, where he repeatedly worked against U.S. national interests.

Mr. Tillerson opposed sanctions levied against Russia in the wake of their invasion of Ukraine. He tried to pull one over on the committee, telling the committee this ridiculous story of first not lobbying Congress on sanctions, then not knowing if Exxon was lobbying for or against sanctions. That just doesn't pass the smell test. He called the chairman of the Foreign Relations Committee to express his misgivings about sanctions. He personally lobbied Congress against the sanctions. His company spent millions of dollars lobbying against the sanctions.

When asked by President Obama and his administration to refrain from attending a major economic development conference hosted by Vladimir Putin in the middle of the Ukraine crisis, Tillerson thumbed his nose at America. He intentionally embarrassed his own country and our allies by sending his top deputy to that conference—and it gets worse—and standing next to Russian officials to announce major new contracts with Russia. Think about that. We begged Exxon to stay away from that conference. Not only did they go, but Tillerson had his No. 2 guy announce new contracts in the middle of the sanctions, in the middle of the worst of the crisis with Ukraine. It is not surprising that he was awarded the Order of Friendship by Vladimir Putin 3 years ago.

Just an aside, I have listened to my colleagues castigate President Obama for being weak on Russia for years. Frankly, the only thing that has been consistent about Candidate Trump and President Trump's foreign policy has been a marshmallow-like softness on Russia. At every turn, Trump has previewed for you that he is going to be easy on Vladimir Putin. Tillerson's testimony cemented that. He was asked over and over whether he would commit to holding the line on existing sanctions, whether he would commit to imposing new sanctions based on Russian interference in the U.S. elections.

He was asked by the Presiding Officer if he would, at the very least, commit to holding in place the sanctions on the individuals who were named as those interfering with the U.S. election. He wouldn't commit to any of it, and so it is hard for me to understand how all of the Republicans who have been eviscerating President Obama for 8 years for being soft on Russia are now supporting the nomination of Rex Tillerson, who has basically advertised that they are going to withdraw the line the Obama administration had taken and enter into a new relationship with Russia, in which they likely get everything they want. I hope that is not true, but we have asked over and over again for this nominee to give us some signal that they are going to at least maintain the policies we have today, and we have gotten no satisfactory answer.

Lastly, maybe most concerning about this nominee, is the potential for him to carry with him from Exxon a total lack of concern for ethics. I understand business ethics. That sounds really harsh, right? I understand there is a difference between business ethics and government ethics, and human rights is not something you are going to care about in a business to the extent that we care about it as those who run and advocate for American foreign policy. But I asked Mr. Tillerson if there was any country in the world he wasn't willing to do business with as the leader of Exxon. He danced around the answer a little bit, but the simple response was no, and that is plain as day. We can look at the countries they did business with, including Syria through subsidiaries, including Iran. There was no human rights record that was bad enough for Exxon to say: Hey, no. This isn't something we want to touch.

We have been told by those who are supporting his nomination that we really shouldn't pay attention to everything he did at Exxon because he is going to be a new man when he comes to State. I guess you can understand that. Plenty of people take on new priorities when they come into new jobs. Plenty of people argue for something they argued against once they have a new boss, but he had a chance before the Foreign Relations Committee to tell us how serious he was about human rights. He got asked over and over again what he thought about human rights violations by some of the worst offenders around the world. His answers to those questions were, boy, they were disturbing and troubling. He wouldn't name Saudi Arabia as a human rights violator. Saudi Arabia is locking up political dissidents left and right. They don't allow women to drive. I understand they are an ally, but they are also a human rights violator. Everybody knows that. He wouldn't commit that President Duterte in the Philippines, who has been openly bragging about murdering thousands of civilians with no due

process—wouldn't name him as a human rights violator, wouldn't say that what Russia has done in Aleppo is a war crime. I understand that maybe you don't know all the facts when you are just coming through the process, but you just have to pick up a newspaper to figure out what is going on in Manila or what is happening in Aleppo. It doesn't take a lot of research to know that Saudi Arabia is violating people's human rights. He knows that country very well.

It suggests that this lack of concern for ethics and human rights is going to carry over to the State Department, and of course he is working for a President who is never going to tell him to care about human rights. The President has openly talked about his affection for torture; how he thinks that strong leaders are the ones who kill journalists who oppose them.

So it looks as if we are seeing a preview of an abdication of America's historic role in promoting and pushing human rights around the world. We have a President who has openly mocked human rights, who has supported vicious dictators, and a Secretary of State who has made a career of doing business with some of the worst human rights violators in the world and who couldn't name human rights violators when he appeared before the committee.

Senator MARKEY is right. Mr. Tillerson is an accomplished businessman. He is smart. He is savvy. I don't say any of this to impugn his character. He had a job to do at Exxon, and he did it well on behalf of those shareholders. Frankly, he didn't have to take this job. He didn't have to subject himself to this spotlight, to the constant second-guessing that awaits him as the next American Secretary of State. So I give him credit for making this decision to step up to the plate and do this job. I think his motives are pure. I guess I can't assume anything else. I know there are people who question those motives, but I am going to assume that he is doing this because he wants to help his country, and I look forward to working with him.

He needs to be an advocate for the State Department. He needs to be an advocate for the nonmilitary tools that have not historically been available to the President. We have had a "military first" mentality as a country. We think every problem in the world can be solved through military intervention. Even under President Obama, there was a bent toward military solutions. A Secretary of State can be the chief spokesman here for the ways in which you solve problems that don't involve attacking and invading, but I don't think somebody who has done one thing with one set of priorities and values for 40 years just suddenly does an about-face, and adopts a totally different set of priorities and values for his career's capstone job. If that were the case, he could have previewed that for us in the committee hearing. Yet



over and over again, when we asked for evidence that his priorities and his values were changed, his answers didn't measure up.

As I said, in addition to those concerns, this is just not the time for a Secretary of State with no diplomatic experience whatsoever. It is not a time for our new Secretary of State to learn on the job.

I will oppose his nomination and I hope others will join me.

I yield the floor.

Mr. CARDIN. Mr. President, I yield 15 minutes under my control to the Senator from Massachusetts, Ms. WARREN.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I rise to speak about the nomination of Rex Tillerson to serve as Secretary of State. Shortly after President Trump's election, I wrote to him about what I thought was a mutual interest, taking on a rigged system in Washington where powerful interests call the shots. For too long, I have heard from Wisconsiners who feel that Washington's economic and political system is broken. People are angry because they feel that our government institutions seem to work for Big Banks or Big Oil but not for them.

President Trump clearly tapped into this widely held dissatisfaction when he announced his plan to reduce the influence of special interests in government by draining the swamp. Yet with appointment after appointment, it has been made clear that President Trump is not interested in ridding the government of powerful interests. In fact, he continues to appoint and nominate foxes to guard the henhouse.

We don't need to look back very far to know what can happen when we let industry insiders run our government. The 2008 financial crisis was a result of years of deregulation pushed by Wall Street from both inside and outside the government. Last Congress, I introduced legislation to slow the revolving door and ensure that our public servants are working for the public interest, not their former—or future, for that matter—employers. I was inspired to introduce this legislation when I saw several Obama administration appointees receive multimillion-dollar bonuses for leaving their private sector jobs to join the government. These government service golden parachutes, as they are known, demonstrate how valuable some companies believe it is to have friends in high places.

Rex Tillerson, the President's nominee to serve as Secretary of State, received a \$180 million payout from ExxonMobil that he would have to forfeit had he taken a job elsewhere. What is more, reports indicate that the deal he struck allows him to defer paying 71 million in taxes. It is hard to imagine that our Nation's top diplomat will forget such an incredible favor, but Rex Tillerson isn't the only Trump ap-

pointee who will be rewarded with a golden parachute as he enters government. Gary Cohn, the President's pick to run the National Economic Council, will receive over 100 million from his former employer, Goldman Sachs, before he starts to coordinate an administration-wide economic policy.

I remain as opposed to this practice under the Trump administration as I was during the Obama administration. Wisconsin families cannot afford to have corporate insiders running our government to rig the rules on behalf of their former corporations. That is why I am reintroducing the Financial Services Conflict of Interest Act, to ensure that our government is truly of the people, by the people, and for the people of the United States, to ensure that President Trump's Cabinet officials are working in the national interests instead of their own interests, to ensure that they are working for their current employers, the American people, instead of their former bosses.

In the case of Mr. Tillerson, whose nomination the Senate is voting on this week, these questions of influence, of favoritism and priorities are particularly troubling, troubling because during his tenure leading Exxon, Mr. Tillerson showed a disregard, if not outright contempt at times, for putting U.S. policy first. Whether in the Middle East, Africa or Russia, Exxon's bottom line was his overriding priority. Now, with 180 million of Exxon's money in his pocket—and after 40 years with the company—should we take it on faith that his priorities will suddenly change? Should we blindly accept that the 180 million will not ever influence his decisionmaking or should we continue to ask questions, questions that Rex Tillerson has yet to answer?

For example, how will Exxon and Big Business influence U.S. policy in strategically important but democratically fragile oil-producing African states? How about U.S. international commitments to combatting climate change, one of our greatest national security challenges but also a challenge that Big Oil has dismissed as a hoax. Perhaps most concerning, what influence will Exxon have in matters relating to Russia, where its long record of doing business at the expense of U.S. national security interests seems to be right at home in the Trump administration?

We also need to hear what Rex Tillerson thinks about President Trump's actions this weekend. On Friday, President Trump issued anti-refugee and anti-immigrant Executive orders. I am outraged by the way these orders were hastily thrown together late Friday. The President's sloppy actions created chaos, disorder, and confusion at our airports, and it left families, including permanent legal residents, wondering what it meant for them. There have been media reports that relevant agencies, including the State Department, were not consulted

before this order was signed by President Trump. President Trump says we need extreme vetting of refugees fleeing war-torn nations. The refugees—the vast majority of whom are women and children—already go through an extremely strict screening process before they are allowed to enter the country.

What we really need extreme vetting of is President Trump's Executive orders before he signs them. With the stroke of a pen, President Trump's orders will make ISIS stronger, weaken America's counterterrorism efforts, and likely cost lives. It is wrong to turn our back on our American values and the rest of the world. We are better than this.

President Trump and Republicans in Congress should reverse these shameful actions immediately. I am proud to be cosponsoring legislation that would do just that. We need to know where Rex Tillerson stands on those very same issues. Does he oppose welcoming refugees into the country, which strengthens America's connection with freedom, the foundation of who we are as a people? Was Mr. Tillerson consulted by the President before these orders were issued? Mr. Tillerson owes it to the American people to answer those questions before the Senate votes on his confirmation.

What happened the day after President Trump issued these Executive orders? On Saturday, President Trump called Vladimir Putin to discuss a more cozy relationship with Russia. What does Mr. Tillerson think about this call? According to reports, it was a warm conversation and resulted in preparations for a meeting between President Trump and Vladimir Putin, the same Vladimir Putin who illegally invaded Ukraine and actively seeks to divide and destroy NATO, our most important security alliance; the same Vladimir Putin who is responsible for directing cyber attacks meant to influence and undermine our elections and our Democratic process; the same Vladimir Putin who fights alongside the murderous Syrian dictator, Bashar al-Assad, and is responsible for war crimes, indiscriminately bombing innocent civilians in Aleppo; the same Vladimir Putin who gave Rex Tillerson the Order of Friendship following his business dealings in Russia.

We need a Secretary of State who understands the threats posed by nations like Russia, not someone who is cozy with Vladimir Putin. We need a nominee with experience in foreign affairs and foreign policy, not a billionaire oil tycoon who has spent his career fighting to ensure that government policies help the oil industry. Rex Tillerson is not this nominee.

For all these reasons, I oppose the nomination of Rex Tillerson to serve as U.S. Secretary of State. I urge my colleagues on both sides of the aisle to do the same.

I yield back.

The PRESIDING OFFICER. The Senator from Washington.



## TRAVEL BAN

Mrs. MURRAY. Mr. President, I would like to address some of the very serious concerns posed by the nomination of Rex Tillerson for Secretary of State, along with several of President Trump's Cabinet nominees. But first I do want to briefly address what unfolded this weekend at airports across the country following President Trump's appalling and un-American ban on Muslims and refugees from entering the country.

With the stroke of a pen, the Trump administration caused chaos and heartbreak for hundreds of families, many of whom are our friends, our neighbors, and our coworkers. On Saturday night, Members of this Congress, including myself, were denied answers to even the most basic questions from border enforcement officers, questions that affect the people whom we represent.

While I am glad that a Federal judge quickly issued a stay and that the Department of Homeland Security has since provided further guidance on the Executive orders, many questions remain and too many lives hang in the balance.

I am going to keep fighting as hard as I can, and I encourage everyone who is listening and watching right now to continue making their voices heard because President Trump is already governing the way he campaigned, by dividing our country and pushing extreme policies that hurt families across the country. Again, we saw this so clearly in the Executive orders he signed this past week.

But it is also something we have seen in the Cabinet nominees he has put forward since his election. As we all remember, President Trump said that he was going to drain the swamp, but he seems to think the way to do that is by filling it with even bigger swamp creatures. He said he was going to stand with the working class and fight Wall Street and Big Business. But he nominated a Cabinet full of Wall Street bankers and billionaires and millionaires and friends and insiders and campaign contributors.

As many of my colleagues have discussed today, one clear example of President Trump's broken promise to drain the swamp is the nomination of Rex Tillerson, CEO of ExxonMobil for Secretary of State. This is a nominee who is not only a known friend and business partner to Russia, but someone who publicly spoke against sanctions on Russia after the invasion of Ukraine and Crimea.

People in my home State of Washington have significant concerns about who he plans to work for, and so do I—concerns that Mr. Tillerson failed to adequately address in his hearing. I have said before that reports of Russia meddling in our election should disturb and outrage every American, Democrat, Republican, or Independent who believes that the integrity of our elections is fundamental to the strength of this democracy. That is why it is so

critical we have a Secretary of State who will stand up to protect those values.

## NOMINATIONS OF BETSY DEVOS, TOM PRICE, AND ANDREW PUZDER

Mr. President, along with Rex Tillerson, I have serious concerns with the nominees that are going through our Senate HELP Committee, as well as the vetting process that has taken place.

My Republican colleagues rushed us into a hearing on President Trump's nominee for Secretary of Education, Betsy DeVos, for example. When we started the hearing, the Republican Chairman, the senior Senator from Tennessee, preemptively declared he would be limiting questions to just 5 minutes per Member, a shocking and disappointing breach of committee tradition, clearly intended to limit public scrutiny.

When the questions began, it quickly became clear why Republicans felt the need to protect her. Ms. DeVos refused to rule out slashing investments in or privatizing public schools. She was confused about the need for Federal protections for students with disabilities. She argued that guns needed to be allowed in schools across the country to "protect from grizzlies."

Even though she was willing to say that President Trump's behavior toward women should be considered sexual assault, she would not commit to actually enforcing Federal law, protecting women and girls in our schools.

I would say I was shocked at this candidate's lack of qualifications to serve, but at this point, you know what, nothing surprises me when it comes to President Trump's new administration.

As was the case with Ms. DeVos, Democrats were also unable to thoroughly question President Trump's nominee for Health and Human Services, Congressman TOM PRICE. I can understand why Republicans would not want Congressman TOM PRICE to defend his policies, which would take health care coverage away from families, voucherize Medicare, and undermine women's access to reproductive health services, despite President Trump's comments to make health care better for patients and even provide insurance for everybody. These are issues that families and communities do deserve to hear about, and they also deserve a thorough investigation into serious questions about whether Congressman PRICE had access to non-public information when he made certain medical stock trades while he was in the House.

Lastly, I have to say, I have grown increasingly concerned that President Trump's nominee for Secretary of Labor, Andrew Puzder, represents yet another broken promise of his to put workers first. On issue after issue, Andrew Puzder has made clear that he will do what is best for big businesses, like his own, at the expense of workers and families.

He has spoken out against a strong increase in the minimum wage. He has been one of the most vocal opponents of our efforts to update the rules so that millions more workers can earn their overtime pay.

Puzder has even talked about replacing workers with robots because "they never take a vacation, they never show up late, there's never a slip-and-fall, or an age, sex, or race discrimination case." That is a quote from Puzder.

He has aggressively defended his company's offensive ads, leaving women across the country wondering whether he can be trusted in a role that is so critical to women's rights and safety in the workplace.

All of that makes a lot of sense coming from a millionaire CEO who profits off of squeezing his own workers. But it is very concerning coming from a potential Secretary of Labor, someone who should be standing up for our workers and making sure they get treated fairly, rather than mistreated.

So, now more than ever, people across the country want to know how the Trump administration will continue to impact their lives. We Democrats consider it our job to stand up when President Trump tries to hurt the families whom we represent. We are ready to stand with families we represent, to hold him and his administration accountable, and we refuse to back down and are prepared to fight back.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I rise today to express my strong opposition to President Trump's nomination of Rex Tillerson to be the next Secretary of State. There are many, many reasons to oppose this nomination, and my colleague from Washington has just listed several of them. But the main reason for me is as simple as it is disturbing: Tillerson's extensive and longstanding ties with Russia mean that the United States of America simply cannot trust him to be a strong advocate for the interests of our country.

Here is what has been publicly reported. Our intelligence agencies have concluded that the Russian Government conducted a successful series of cyber attacks on the United States designed to help Donald Trump get elected President. Intelligence chiefs have briefed the President on a dossier alleging that the Russian Government has collected compromising information on him. And in response, the President has attacked the intelligence community.

This week, he installed his political crony, Steve Bannon, a man with ties to White nationalists, on the National Security Council while marginalizing the Chairman of the Joint Chiefs of Staff and the Director of National Intelligence.

Now, there is significant reason to believe that the President has extensive financial relationships with Russia, but nobody actually knows any of

the details because he has refused to release his tax returns. And, apparently, the President's own national security adviser is currently under FBI investigation for his own interactions with the Russian Government.

This is only the 12th day of the Trump Presidency, and this is what is going on right now—12 days. I wish this weren't happening. I wish things were normal, but this is not normal. We cannot simply ignore all of this as we evaluate the President's nominees to critical foreign policy and national security jobs.

I have heard some people say that Rex Tillerson doesn't know anything about diplomacy or have any experience with foreign policy. I actually think that is wrong.

For the last decade, Tillerson has served as the CEO of ExxonMobil, a massive company that would have roughly the 42nd largest economy in the entire world if it were its own country. As the leader of that giant oil company, Tillerson was an expert at diplomacy; specifically, how to advance the interests of his own fabulously wealthy oil company and himself, no matter the consequences for American foreign policy toward Russia.

Russia has vast oil resources, and Exxon is one of the world's largest oil companies. Getting at that oil is a critical priority for Exxon—such a high priority, in fact, that when it came time to pick a new CEO, Exxon chose Tillerson, who had spent years managing the company's Russia efforts. This isn't just a passing coincidence. Tillerson has worked closely with Putin's senior lieutenants, and, in 2013, Tillerson received the highest honor that the Kremlin gives to foreigners.

Tillerson's Russia projects ran into trouble the following year, however, because after Russia invaded Ukraine and started illegally annexing territory, Europe and the United States slapped sanctions on Russia. Those sanctions made life more difficult for Exxon, so Tillerson ignored them. He forged ahead despite the sanctions, signing more agreements with Russia, and then he used his army of well-funded lobbyists to undermine our sanctions with Russia.

When confronted with the facts about this in his confirmation hearing, Tillerson first pretended that he didn't know if the company had lobbied at all. And then later, he said: Well, the company simply participated in discussions with lawmakers without actually taking a position.

He is saying that they paid their lobbyists to show up and just talk generally, not to advance what the company wanted. You know, when you hear something that lame, you wonder just how dumb he thinks we are.

Mr. Tillerson has argued that in his job at Exxon he was advocating for the interests of his giant oil company. And he understands that being Secretary of State is a different job.

Really? At his hearing, Tillerson lamented that when sanctions are im-

posed, "by their design, [they] are going to harm American businesses"—as though the principal question the Secretary of State should be asking when deciding whether to hold Russia accountable for hacking our elections or for annexing Crimea is whether it might dent the bottom line of a powerful oil company.

And has Tillerson really separated himself from Exxon? Tillerson is receiving a massive \$180 million golden parachute for becoming Secretary of State—\$180 million. It is a special payout that he wouldn't get if he were taking some other job. He is getting it only because he is coming to work for the government.

I have opposed these parachutes for many years now, and many of us have worked on legislation to make them criminally illegal—many of us. I have opposed nominees in my own party over them because if your employer offered you \$180 million to go to work for the government, that looks an awful lot like a bribe for future services. This kind of payment raises questions about whether you work for the government, for a multinational oil company, or for both at the same time. America deserves a Secretary of State who works for the American people, period.

Will Tillerson help Exxon while he is in office? Well, the law requires him to recuse himself from any matters involving this company for how long? For just 1 year.

Common sense requires Tillerson, who, again, is receiving a \$180 million special payment from the company where he has worked his entire adult life—common sense requires him to recuse himself from all matters involving Exxon for the entirety of his time in government. But when pressed by my Massachusetts colleague, Senator MARKEY, Tillerson flatly refused to do it.

Mr. Tillerson's views, experiences, relationships, and compromising arrangements with Russia aren't my only problem with this nomination, not by a long shot.

Mr. Tillerson's company has spent years lying about climate change. In Massachusetts, we have laws about consumer fraud: telling people lies about your product, lies that could make a difference about whether or not customers want to buy it. The Massachusetts attorney general, Maura Healy, has been investigating whether Exxon deliberately misled people about the impact of climate change on our economy, on our environment, on our health, and on our future.

Exxon didn't want to answer, so they bullied and stonewalled all the way. But it hadn't worked. In fact, our attorney general won a court ruling earlier this month, and Exxon is being forced to hand over 40 years' worth of internal documents that will show what the company knew about climate change, when they knew it, and whether they lied to their customers, their investors, and the American public.

Tillerson bobbed and weaved on climate change at his confirmation hearing. I wonder if he is just trying to avoid accidentally saying anything that might help Massachusetts finally find out and hold his company accountable for massive fraud. Look, that may be OK for a CEO, but that is not good enough for someone who wants to be our Nation's Secretary of State.

Climate change is a defining issue of our time, and the last thing we should do is hand our foreign policy over to someone who cares more about lining his own pockets than the survival of our planet.

I could go on at length about the glaring problems with Mr. Tillerson's nomination. It is amazing how far we have fallen, to go from John Kerry, an accomplished statesman, combat veteran, Presidential candidate, long-time public servant, and son of Massachusetts, to a billionaire with a golden parachute and no record of public service or putting American foreign policy interests ahead of his own corporate interests.

When we vote, Senators should understand this: Handing American foreign policy over to the leader of a giant oil company is not something we do in the United States; it is something Vladimir Putin would do in Russia.

Donald Trump is building his Presidency in the image of Vladimir Putin, and that is good for Russia, but it is a real problem for America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I rise to speak in opposition to the confirmation of Rex Tillerson, the President's nominee to be Secretary of State, and I will tell you why in two words: Vladimir Putin.

Rex Tillerson's ties to Russia have been widely reported. The Senator from Massachusetts has outlined a number of them, specifically his ties to President Putin, who awarded him the Order of Friendship after signing deals with the state-owned oil company, Rosneft.

Now isn't the time to cozy up to Russia. Now is the time to stand up to Russian aggression in Crimea, in eastern Ukraine, and Syria.

Just yesterday, we heard reports of another outbreak of fighting between Ukrainian forces and Russian-backed separatists in war-torn eastern Ukraine. And all you have to do is speak to a Ukrainian and let them tell you—as I met with the former Prime Minister yesterday, and I will be meeting with a former Member of their Parliament, let them tell you what it is like to have the Russian Army march on your country and take part of it away, as they did with Crimea, and then come in under the disguise of little green men, as if they did not have ties to the Russian Army. That is going on in eastern Ukraine right now.

Our own intelligence community has told us that the Russian President personally ordered a campaign to influence the 2016 Presidential election

right here in the United States. That campaign—a mix of covert Russian operations, cyber attacks, cyber operations, and propaganda—was only the latest in a series of efforts to undermine American leadership and democracies around the world and what is coming next for the elections in Europe in the next few months.

Russia is testing us, and I am concerned that Mr. Tillerson cannot stand up to the Russian President who, I am afraid, thinks of himself as the next Russian czar.

In Mr. Tillerson's past, as Exxon's CEO, he lobbied against sanctions on Russia for invading and seizing Crimea—the very sanctions that we and our allies have put on Russia for taking over sovereign territory of another independent country. And now it is not clear, as our Nation's top diplomat, that Mr. Tillerson would fight to keep the sanctions in place, even as President Trump is now considering lifting them, despite the clear evidence of Russia's continued aggression.

During his confirmation hearing, Mr. Tillerson refused to condemn the Russian and Syrian bombings in Aleppo as war crimes, a question that was proffered to him by the Senator, my colleague from Florida, who happens to sit in the Chair right now.

I also have serious concerns that Mr. Tillerson doesn't understand the urgent need to combat climate change. You don't have to remind us about climate change in Florida. South Florida is ground zero for climate change. Miami Beach is awash at the seasonal high tides as the water flows over the curbs and over the streets, causing Miami Beach to spend hundreds of millions in taxpayer dollars to install pump stations, raise the roads, and address all kinds of flooding and salt-water intrusion. Other South Florida communities have had to move their water well locations farther west because of the intrusion of South Florida into the freshwater aquifer.

Climate change is not a problem that we are going to face some day in the future; it is a daily struggle for communities along our coasts all over America. The U.S. State Department is responsible for engaging with other countries to confront both the cause of climate change and the devastating impact of drought, sea level rise, and severe weather.

By the way, speaking of sea level rise, this Senator convened a meeting of the Senate Commerce Committee in Miami Beach a couple of years ago. We had testimony from a NASA scientist that measurements—not forecasts, not projections, but measurements—in the last 40 years of sea level rise in South Florida were 5 to 8 inches higher. That is sea level rise. That is why even the Department of Defense is concerned. Climate change has the potential to destabilize nations. How about Bangladesh? It has the potential to drastically reduce potable water supplies and result in crop loss and food shortage and to create climate refugees.

We simply cannot play fast and loose with the science that will help save our planet. The top diplomat of our country has to confront the reality of climate change today and to work on it immediately. Mr. Tillerson has not adequately laid out a plan to address that global climate crisis.

For all the reasons I have outlined, including many more, I will vote no.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ROUNDS). Without objection, it is so ordered.

Mr. BLUMENTHAL. Mr. President, as the Presiding Officer well knows, the Secretary of State is one of the most important positions in the President's Cabinet. He is the Nation's chief diplomat, and he champions American values. He is the symbol in a sense, the chief voice and advocate around the world of America. The Secretary of State is in a sense our representative to the world, embodying and promoting, hopefully, the best in America to billions of people around the globe, proving to the world yet again that America is exceptional, that we are the greatest country in the history of the world, and that we have a respect for the rule of law, for human dignity and rights for all, including the right to live in a safe and free environment.

Past Secretaries of State have changed history, averted and navigated war, brokered peace, championed human rights, and fought to make the world a better place. In this time of immense uncertainty, we must demand nothing less of our next Secretary of State than that he be a great reflection and representative of the United States to the world.

The likes of Hillary Clinton, Colin Powell, Madeleine Albright, George Marshall, and Charles Evan Hughes have all held this position. To join these titans or even to aspire to their position is no small challenge. We need a candidate who will continue to embody what is right even in the face of resistance from adversaries and foes who do not admire and, in fact, seek to do harm to our way of life.

As ExxonMobil's CEO, the President's nominee, Rex Tillerson, has worked hard and successfully for his corporation. In fact, he has put that corporation's interests ahead of America's interests. That may have been his job, and I understand that was his job description, but doing that job well does not qualify him to be our Nation's chief diplomat and to assume the mantle of defending our national interests.

Having worked for four decades for this oil giant, without any government experience, I am unconvinced that Mr. Tillerson has shown he is able to re-

verse this oil interest mindset and put America's needs before his former employer. I do not have faith that he can rise to the paramount challenge of representing us on the world stage.

I share my colleagues' concerns. We have heard numerous of our colleagues express the same view—that his oil interests will harm the progress we have made to protect the environment and slow the impact of climate change. I say that reluctantly because I hope I am wrong. He is likely to be confirmed, but I hope my colleagues think hard and long and join me in opposing Rex Tillerson.

I am also hopeful that a number of his other stances, such as enforcing sanctions that hold our adversaries accountable—notably, Russia and Iran—will change as well. These stances have been troubling. I have little confidence that Mr. Tillerson will vigorously enforce these sanctions and even less confidence that he will guide President Trump to provide the crucial advice our demonstrably rash and ill-advised President needs.

I want to point particularly to some of the tactics ExxonMobil used in its litigation against legal challenges that were brought based on climate change information that allegedly was concealed by ExxonMobil. These tactics are deeply troubling, and I hope that maybe the toughness of ExxonMobil in those tactics will be replicated in the toughness that is brought to bear in enforcing the sanctions against Iran and Russia because he has shown a troublesome trend of opposing sanctions that have held Iran accountable—sanctions that pushed Iran to the table in negotiating the Iran nuclear agreement, which has made our world a safer place.

Across decades and administrations, the Senate reached an overwhelmingly bipartisan consensus that the Iran regime should be aggressively sanctioned for its global missile program, state sponsorship of terrorism, and gross human rights violations. ExxonMobil directly and together with other global oil companies and through the financing of third-party advocacy organizations has persistently tried to stop Congress from passing sanctions legislation.

ExxonMobil has been a board member of USA Engage since its founding in 1997 and from 2003 to 2007 held the chairmanship of that organization. For two decades it has actively lobbied Congress to oppose Iran-related sanctions bills, including last year for at least four such pieces of legislation.

ExxonMobil has worked to prevent the authorization and extension of the Iran sanctions act, which I am proud to say was renewed for another 10 years by Congress, becoming law just a few weeks ago, and I was proud to support it. Yet, during Mr. Tillerson's hearing, he denied that ExxonMobil ever lobbied against Iran's sanctions, in the face of facts to the contrary. As Ronald Reagan said, "Facts are stubborn things."

Foreign policy experts and military leadership have explicitly identified Russia as a growing threat and a violator of international law. Many of us in this body—in fact, I would say the majority—have recognized that fact. Yet Mr. Tillerson does not seem to treat Russia with the same gravity.

We need a Secretary of State who is going to work with our NATO allies and stand up for us and not give Putin a pass. We are all aware of Mr. Tillerson's inappropriate stance toward relations with a country responsible for assaults on world order through cyber attacks, illegal land grabs, and war crimes. We are the victims of a cyber attack by Russia, an act of cyber war. The Secretary of State must be somebody who regards that kind of attack as intolerable and unacceptable.

Mr. Tillerson's affinity for Russia is alarming because he adds to the growing list of Putin admirers in this administration, and that list unfortunately includes the President himself and National Security Advisor Michael Flynn.

Mr. Tillerson's opposition to sanctions imposed on Russia for its illegal annexation of Crimea in 2014 was not the result of national security concerns but, rather, because ExxonMobil stood to make millions, even billions of dollars from the business deal that corporation had recently made with Russia to develop its oil and gas interests. What is good for ExxonMobil is not necessarily good for the United States of America. These sanctions were put in place because Russia's invasion of Ukraine was unacceptable and now has led to at least 10,000 deaths, 20,000 wounded, and 2 million people displaced.

These are hard numbers and hard facts—the result of Russian aggression that must be countered.

As a member of the Armed Services Committee, I have fought to include and pass the NDAA's robust funding for Ukrainian assistance. I am proud to say that this initiative was successful. I also successfully urged a provision that terminated U.S. contracts with the Russian arms export agency.

Mr. Tillerson made it clear during his nomination hearing that his stance was unchanged. He could not admit that Vladimir Putin is a war criminal, despite these deaths and the torture involved in this aggression and other similar acts, or to say that the sanctions against Putin's Russia are necessary and appropriate. His views are inconsistent with the interests of the United States of America.

Given his troubling trend of dodging questions during his testimony, I cannot confidently say that he will follow the clear direction of Congress concerning sanctions policy. I will say bluntly and frankly to my colleagues that my particular concern is that sanctions laws contain waivers. Those waivers are provided to the President for the rare requirement that such sanctions may be waived when it is in

the national interest or for national security. This exception must be used exceedingly sparingly and judiciously. Sanctions without enforcement are worse than no sanctions at all. They are meaningless, and they raise false expectations. My fear is that under Mr. Tillerson, if he is advising President Trump, those exemptions and exceptions will swallow the rule.

Talking about rules, if confirmed, Mr. Tillerson will be responsible for executing President Trump's extremely misguided policy expanding the global gag rule, which prevents foreign aid from being provided to global health programs that discuss or provide abortion services. The result will be to obstruct programs that cover everything from HIV prevention to maternal and child care and epidemic disease responses, putting lives at risk. This is just the opposite of what we ought to be doing. It makes the world less safe, as does this weekend's Executive order that bans refugees and Muslims. We need someone willing and able to voice resistance and opposition to policies that flagrantly fly in the face of everything we value—our American values. We need a Secretary of State ready to stand up for the most vulnerable people and speak truth to power, even when that power is the President of the United States. The fact is, sadly, that Mr. Tillerson has never taken strong stances on these issues, leaving us guessing as to what he will do when and if he is in office.

I cannot support anyone to be Secretary of State who fails to condemn the suspension of our Refugee Resettlement Program directly under his purview. When we target refugees, we target people who are victims of the same oppressors and tyrants and murderers that we call enemies. Refugees are not our enemies. Many are fleeing the murderous Syrian regime and ISIL, which are our enemies. We are at war with ISIL, and we must win that war. We are disadvantaged by a policy that excludes refugees on the basis of religion, because we alienate our allies with the sources of intelligence and troops on the ground, and we lead to the misimpression—and it is a misimpression—that we are at war against Islam or our Muslim neighbors when, in fact, our enemy is violent extremists.

These refugees and immigrants see America as a beacon of hope, but they are now receiving the message that, whoever they are and however strong their claim to come here is, their religion will bar them, their religion denies them the right to come to this country, their religion will ban them.

Mr. Tillerson has never denounced this strategy when it does so much to damage our international credibility, our values at home, and our Constitution. Four judges have stayed the President's Executive orders. My respectful opinion is that the President's orders are, in fact, illegal.

The question is this: Will he defend career diplomats who have spoken out

against these policies? Will he take a stand himself against them? Will he stand up for American values?

One story in particular struck me because it involves my own State of Connecticut. Last Saturday, a Syrian refugee who settled in Milford, CT, 2 years ago, Fadi Kassir, anxiously awaited the arrival of his wife and two daughters, ages 5 and 8. He has not seen them since resettling in this country. His family was turned away before they could board a flight to the United States. They were told they were not going to be allowed to enter this country following the President's refugee ban. Despite having been granted refugee status—asylum—three days before the refugee ban, they would no longer be united with Mr. Kassir in the United States.

I am working—and I hope the Secretary of Homeland Security may be listening, if not at this moment then at some point in the future, to my entreaty that he do the right thing, that he make their entry possible. They have gone through all of the necessary screenings, submitted all of the necessary forms. Yet, under the President's Executive action, they are denied refuge in the United States based only on their nationality and their religion.

Mr. Kassir's family is now back in Jordan without luggage, without clothes, and without the new home they were so close to having. My office has offered assistance to Mr. Kassir's lawyers, and we are working to help in any way we can.

The United States—Connecticut in particular—has a proud moral tradition and heritage of aiding refugees who need our help when their own homelands are in turmoil. President Trump's egregious acts contravene our values, contradict our Constitution, and should be rescinded immediately.

Mr. Tillerson, join me in urging President Trump to rip up this order. It is the only solution.

I am not confident, until I hear him say so, that he is ready to be the leader we need in the Department of State to ensure that America's values of acceptance and assistance hold strong in an administration that directly challenges these most cherished traditions and values.

Our Secretary of State must be clear-eyed about threats facing our Nation, both from adversaries abroad and others who would do us harm inside our borders. I regretfully conclude that Mr. Tillerson has failed to demonstrate that ability to do so, and I urge my colleagues to join me in opposing his nomination.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHATZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SCHATZ. Mr. President, American history has been shaped by U.S. Secretaries of State. Secretary Dean Acheson guided the United States through the Cold War. Secretary Madeleine Albright proved that diplomacy does not depend on gender and that protecting refugees and human rights are core American principles. Secretary Henry Kissinger laid the groundwork for peace between Egypt and Israel. And forgive me for using such a recent example, but Secretary John Kerry helped to bring the international community together to tackle climate change.

As our Nation's top diplomat, the Secretary of State is the highest ranking cabinet member and the President's top adviser on U.S. foreign policy.

The Secretary balances relationships with some 180 countries and is responsible for tens of thousands of Americans working at more than 250 posts around the world.

In other words, it takes a remarkable knowledge base and skill set to be Secretary of State, particularly as the United States takes on a complex and complicated set of issues. At the top of the list is climate change. The global changes we have seen in the climate are affecting almost every part of the world, from droughts in Sub-Saharan Africa to rising sea levels in parts of Asia.

We have also not seen this level of refugees and migrants since after World War II. The Rohingyas, Syrians, Afghans, Guatemalans, and many others are fleeing war, violence, persecution, and instability. Globalization and technology have disrupted economies, leaving governments, companies, and workers trying to figure out how to keep up with the times without being left behind. Terrorism and violent extremism haunt parts of the globe, from the Middle East to Europe, and to our own borders.

The Secretary of State has to take on all of these challenges and do it in a way that advances U.S. interests and values. After reviewing his record and his testimony before the Senate, I am not satisfied that Rex Tillerson is the right person to lead the State Department. On each of these criteria—views, knowledge base, and skills—I have concerns about his nomination at this point in the process.

First, I am not satisfied with Mr. Tillerson's views. There has been a clear consensus among both parties on the foundation of U.S. foreign policy. Throughout the confirmation process, however, Mr. Tillerson indicated that his views did not necessarily align with that consensus. During discussions on international human rights, the hearing record shows that Mr. Tillerson was vague about oppressive governments, extrajudicial killings, and the bombing of hospitals. He demurred when given the opportunity to rule out

a Muslim registry, a concept that is anathema to American values, and yet this administration is dangerously close to implementing one.

Perhaps most concerning were Mr. Tillerson's views on Russia. I don't need to be the umpteenth person to list the many, many concerns we have about a country that is not America's ally. For decades, there has been bipartisan consensus about U.S. relations with Russia, and I am uncomfortable with confirming a Secretary of State who does not share that bipartisan view.

Secondly, I am not satisfied that Mr. Tillerson has the knowledge base to lead U.S. diplomacy. His vision for the State Department seemed to confuse the roles of the Department of State and the Department of Defense. During his confirmation hearing, Mr. Tillerson responded to a question on the South China Sea, but his answer focused on military solutions instead of the long list of diplomatic options which we should first explore.

That is not to say a Secretary of State can't recommend military solutions. There is certainly a long history of the State Department doing just that, but it should always be as a last resort. It always comes after a long pursuit of peace through diplomacy.

Finally, I am not satisfied that Mr. Tillerson will be able to translate the considerable skills he has from ExxonMobil to the State Department. His long career at Exxon is certainly impressive, but it is the only international job on his resume, and let's be clear, the company's record does not at all align with U.S. foreign policy, from accusations related to human rights abuses to Exxon's business operations in countries that are not friendly to the United States. I am not arguing that this makes Mr. Tillerson a bad person. As the CEO of a big company, he had his own imperatives and his own obligations, and I understand and respect that. But it is not enough to say that I used to care only about ExxonMobil's interests, but now I only care about the U.S. interests.

The next leader of the State Department will have to argue for our values and our priorities with friends and adversaries alike. He or she will need to balance business interests with national security and with American values. I approach this nomination process with an open mind, but Mr. Tillerson's confirmation hearing left me with too many doubts about his views, his knowledge set, and his abilities. I will be voting no on his nomination.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. PETERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. PETERS. Mr. President, I rise to express my opposition to the nomination of Rex Tillerson as Secretary of State. The position of Secretary of State was one of the original four Cabinet positions created by President George Washington.

Even after we declared, fought for, and won our independence as a new country, our Founders knew that this world is interconnected. They understood that what we needed was to engage with other countries and to manage our affairs all across the world.

Our first Secretary of State, Thomas Jefferson, had previously been our Minister to France, our closest ally at the time of our Nation's founding.

Today, the role of Secretary of State is as important as ever. We need a Secretary who will reassure our allies, project strength and competence around the world, and push back against the President's worst impulses.

Having reviewed his qualifications and testimony before the Senate Foreign Relations Committee, I am unfortunately convinced that Mr. Tillerson is not the right person to lead the State Department and to represent the United States abroad.

Mr. Tillerson has spent decades at ExxonMobil, where he rose through the ranks from an engineer to chairman and CEO. We should value hard work and success in the private sector, but we should also ask what the President's nominees were working toward. Mr. Tillerson's success at Exxon in large part can be attributed to deals he struck and connections he made with Russian plutocrats and government officials, including Vladimir Putin.

Over the years, Mr. Tillerson's views toward Vladimir Putin have been, in a word, flexible. Mr. Tillerson has always put Exxon first, cozying up to Putin's authoritarian regime when it suited his own business interests.

In 2008, he spoke out against the Russian Government's disrespect for the rule of law and its judicial system, but in 2011, after reaching a \$500 billion deal with the Russian state-owned oil company, he changed his views.

Under Vladimir Putin, the Russian Government silences dissent. They murder political rivals and journalists. Many of Putin's political opponents have been poisoned or shot. Since 2000, at least 34 journalists have been murdered in Russia, many by government or military officials.

Mr. Tillerson was awarded Russia's Order of Friendship by Putin in 2012—one of the highest honors Russia conveys to foreigners.

When Congress was working in a bipartisan manner to enact sanctions on Russia for its illegal annexation of Crimea in 2014, ExxonMobil was lobbying against the bill under the leadership of Mr. Tillerson.

During his confirmation hearing, his answers demonstrated either a lack of understanding or a willful ignorance of the destabilizing role Russia plays around the world.

Last year I traveled to Ukraine and Estonia, countries that are on the frontline of Russian aggression. They are genuinely concerned about President Trump's desire to embrace Russia. I heard firsthand how important the support and presence of the United States is to our allies in the Baltics.

In recent years, Russia's belligerence has only grown. Russia has conducted a cyber attack against Estonia, seized territory in Georgia, kidnapped an Estonian border guard, and illegally annexed Crimea. Russian military patrols have approached NATO member territory and have come recklessly close to U.S. military vessels. These irresponsible actions can have severe, dangerous consequences.

What should be most disturbing to any American is that last year Russia interfered with our election to undermine public faith in our democratic process. The intelligence community reported that Vladimir Putin himself ordered the interference—a significant escalation of Russian attempts to sow chaos in the West.

I recognize the President's right to choose his appointments to the Cabinet, but, as the Senate provides its advice and consent, there are still too many unanswered questions for me to support this nomination. We still have not seen President Trump's tax returns, breaking a 40-year tradition adhered to by nominees of both parties. This lack of transparency means that we don't know about the Trump family's possible past and current business ties to Russia. What message do we send to our allies if the Secretary of State and potentially even the President have a history of significant business dealings with a corrupt regime? How will this impact our moral authority as a country to take action against corruption worldwide?

The Secretary of State is the U.S. Ambassador to the world. It is essential that the Secretary is someone who can provide unquestioned leadership and represent American values. There must be no question that the Secretary of State is acting in the best interest of the United States and is willing to take strong action to advance our interests. He must put the American people first and not his former shareholders and friends in the Exxon boardroom.

I am concerned that Mr. Tillerson will prematurely lift the sanctions that have been put in place against Russia. Sanctions are not meant to be permanent, but they should never be removed until they have achieved their purpose.

When our Secretary of State looks at a map of the Baltic region, we need a statesman who sees allies that contribute to NATO, not a new opportunity for offshore drilling.

The Senate must ensure that we are a moderating voice and are approving moderating voices in the Trump administration.

I supported the nominations of Secretary Mattis to lead the Department

of Defense, Secretary Kelly to lead the Department of Homeland Security, and Ambassador Haley to serve as U.S. Ambassador to the United Nations, and I supported these individuals because I believe they will serve as a positive influence against the worst instincts and erratic tendencies of President Trump and his political advisers.

America must stand by its allies and serve as a shining example of democracy. I cannot support a Secretary of State nominee if there is any doubt as to whether they will be a strong, independent voice within the Trump administration. The events of the past week have made the need for such leadership abundantly clear. That is why I will vote against the nomination of Rex Tillerson for Secretary of State, and I urge my colleagues to do the same.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Ms. KLOBUCHAR. Mr. President, I rise today to talk about the Secretary of State nominee, as well as President Trump's recent Executive order on refugees. I believe we need a Secretary of State who will clearly stand up to Russian aggression. I am concerned about the nominee's past statements and his relationship with Russia, and I am not going to be voting for him. If he is confirmed, I hope we can work with him. Some of his newer statements have been positive on taking that on, as well as some of the many issues confronting our world.

The reason I am so focused on Russia is, first of all, we have a significant Ukrainian population in Minnesota. We are very proud of them. I was recently in Ukraine, Georgia, as well as Lithuania, Latvia, and Estonia with Senators MCCAIN and GRAHAM. I saw firsthand the meaning of Russian aggression on a daily basis. In these countries, the cyber attack is not a new movie. They have seen it many times before. It is a rerun. In Estonia, in 2007, they had the audacity to move a bronze statue of a Russian fighter from a town square where there had been protests to a cemetery. What did they get for that? They got their Internet service shut down. That is what they do. In Lithuania, they decided something you could imagine happening in our own country. On the 25th anniversary of the celebration of the independence of their country, they invited, as an act of solidarity, the members of the Ukrainian Parliament—who are in exile in Kiev from Crimea, which has been illegally annexed by Russia. They invited them to meet with them and celebrate in Lithuania. What happened to them; again, cyber attacks on members of the Parliament.

This is not just about one political candidate. We saw in the last election in the United States—where now 17 intelligence agencies have collectively said there was an infringement—that there was an attempt to influence our elections in America. It is not just about one candidate. It is not just about one political party, as Senator RUBIO so eloquently noted. It is not even just about one country. It is an assault on democracies across the world.

I think we need to take this very seriously, not just from an intelligence standpoint but also from a foreign relations standpoint. That is why I introduced the bill, with Senators FEINSTEIN, CARDIN, LEAHY, and CARPER, to create an independent and nonpartisan commission to uncover all the facts. It is also why we have an expanded sanctions bill that is bipartisan, led by Senators MCCAIN and CARDIN.

What we do matters. I think you see that, not only with regard to our relations with those countries in the Baltics but also with what we have seen in just the past few days because of this Executive order. I hope that having a Secretary of State in place would help, as well as more involvement from other agencies so something like this will never happen again.

TRAVEL BAN

As a former prosecutor, I have long advocated for thorough vetting. I have supported strong national security measures. I believe the No. 1 purpose of government is to keep people safe, but I don't believe that is what this Executive order did. In fact, it created chaos. I am on the bill to reverse and rescind this order. I know they have taken some steps to respond to all of the problems we have seen in every State in this Nation, but what really happened was—with the stroke of a pen—the administration excluded entire populations from seeking refuge.

I do think it is a bit forgotten that it is not just the seven or so countries that were identified by the administration. The refugee program has been stopped all over the world, and on Sunday I met with, along with Senator FRANKEN, a number of our refugee populations. To give you some background, we have the biggest population of Somalis in the Nation in Minnesota. We are proud of our Somali population. We have the second biggest Hmong population. We have the biggest Liberian population. We have the biggest Oromo population. We have a number of people from Burma. These are all legal workers. They come over as refugees. They are legal when they come over. Many of them get green cards. Many of them go on to become citizens. We have people who are on work visas, people who are on student visas.

The faces I saw and the people I met, these were their stories: an engineer from 3M who doesn't think he can go back to visit his father; a former marine from one of the affected countries who doesn't believe his brother can



now come and visit him; two little girls in bright pink jackets who stood with us because they had waited for years for the arrival of their sister; the mother, a Somali woman within a refugee camp in Uganda was pregnant. She finally had gotten her papers to be able to come to America, get out of the refugee camp with her two children, but because she was pregnant when the papers came through, she wasn't able to apply for what would be her third child. The baby was born and she had a "Sophie's Choice." Was she going to stay in the refugee camp with the two older girls or was she going to bring them to safety in America, in Minnesota, with so many friends and relatives whom she knew, and then have to leave the baby behind?

She decided to leave the baby with friends at that refugee camp, and for 4 years she worked to get that baby to Minnesota. She got it done, and that baby was supposed to get on a plane and come to Minnesota this week, courtesy of Lutheran Social Services in Minnesota that had worked with the family. Right now, the latest news our office has had, that is not happening. Why? This 4-year-old is not a green card holder. This 4-year-old is a refugee, a refugee who is coming to finally be with her mom and her sisters. To explain to what looked like about an 8-year-old and a 10-year-old why this is happening is really—there are no words to explain why it is happening.

I truly appreciate it that some of our Republican colleagues joined the chorus to say the vetting rule had not been vetted. Many of them pointed to the implementation problems with this rule, and others, such as Senator MCCAIN and Senator GRAHAM, also talked about the fact that this was simply a self-inflicted wound in our fight against terrorism. We heard much of that.

I know, from my colleagues, what this means to moderates whom we are attempting to work with in these Muslim nations as well as our allies all across the world.

I leave you with this. This is about our economy. I remind our friends, and I know—I see Senator RUBIO here who understands the economic value of immigration—that over 70 of the Fortune 500 companies in America are led by immigrants, including in my State, 3M, Best Buy, Mosaic; that 25 percent of our U.S. Nobel laureates were born in other countries; that at one point I had the figure that 200 of our Fortune 500 companies were started by immigrants or kids of immigrants. That is our economy.

There is the moral argument, best reflected in the story I just told of those two little girls in their bright pink jackets in the middle of a Minnesota winter, but then there is also the security argument. So we plead with the administration to reverse this rule, to rescind it.

Certainly, we can work on more vetting measures. As we know, the refugee

vetting already takes 18 months, 2 years, 3 years, more work with biometrics, but there is no reason to do this on the backs of people who have followed the rules, who have followed the regulations and have done what is right and simply want to be part of our country or, in most cases, are already part of our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, we are here in the Senate debating what I believe is the most important Cabinet position that the President has to nominate, the Secretary of State. It comes at an important point in American foreign policy history. There is so much uncertainty and debate about our role in the world these days. A lot of our allies have questions. Our adversaries are obviously watching very closely.

I hope that all of us—and I mean the Executive Branch to the Congress—recognize that as people around the world are watching what is happening on television, they see an America that is deeply divided and fractured right now. I think this needs to be a moment of restraint, both in action and in words. As we work through our differences, these vibrant debates are important to our system of government.

It is one of the reasons that led me to ultimately support the nomination of Mr. Tillerson. I believe that despite some of the concerns that I had and have about his answers to some of my questions, it is vitally important for this country to have a Secretary of State in place at this moment.

I have never had any doubts about Mr. Tillerson's qualifications, his intellect, his background. I have had some concerns about his answers to some very important questions, at least important questions to me, and what I hope will be important questions for a lot of Americans. That is what I wanted to come to the floor and speak about in conjunction with this nomination, and that is the issue of human rights.

To me, human rights is critical both to our national identity, but it is also important to our national Security. In America today, we have, as we have done now for the past few centuries, contentious debates all the time about policies and about what kind of country we want to be. If you have watched the proceedings on the Senate floor or in committee over the last few days, you have seen a lot of that.

Even as we debate these things among ourselves, and even as the American political rhetoric has become so incredibly heated—and we will have more to say about that in the weeks to come—I don't know of any other time where we have gotten to the point that when we disagree with people, we don't just disagree with them, we question their motives and their character.

In fact, it is almost automatic today in American political discourse. You don't just disagree with someone; you immediately jump to why they are a

bad person. In the months and weeks to come, I will have examples about why that is a bad idea. But as we are having those contentious debates, I hope that we never take for granted, sometimes as I think we do, that we live in a place where losing an election, losing a vote, losing on an issue, does not mean you end up in jail or disappear or are executed because that is the kind of stuff that happens in other places all over the world, even now, in the 17th year of the 21st century.

As we have seen in recent weeks, this political dissent is part of our way of life. It has come to define our country. We protect it in our Constitution. It has made us an example to the rest of the world. I was reminded of this just a couple of months ago, right here in Washington, DC. After our most recent election, I had to a chance to visit with my opponent, Congressman Patrick Murphy of Florida.

When I was finished with that meeting, I walked into another meeting. That other meeting was with a Cuban dissident. He is an opponent of the Castro regime, an individual who risks his life in the pursuit of freedom, an individual who does not just get bad blog posts or a bad article or a bad editorial or a nasty campaign ad run against him. No, this is an individual who routinely gets thrown into jail, and he has the scars to prove the beatings he has taken from the Cuban state police over the last few years.

I was a little bit late to this meeting. I apologized to him. I explained that I had just been in a meeting with my opposing candidate, the man I had just ran against in the election. I could see the look on his face. It kind of struck him. He immediately, I believe, appreciated what that represented. He said—and I am paraphrasing: That is what we want for our country too.

This is the essence of what has been America's example to the world, the essence of how our principles and our values have inspired others to seek their own God-given rights and how we have a moral duty to support—in our words, in our foreign policy, and in our actions—those aspirations of people all over the world.

In a way, dictators and tyrants have never had it worse than they do today because we live in this high-tech information age. We often get to see the images of repression within minutes of it happening, if not in real time. We can monitor it; we can catalog the status of human rights in every city, in every country, on every continent.

But as Americans, we are called to do much more than observe and record these atrocities for history. With this knowledge, it is our duty to act and to do what we can to support the people demanding their rights. We must hold those who are violating their rights accountable. I believe this is more important than ever because of the totalitarian resurgence underway in many parts of the world as democracy in every continent is under attack.



Even as I stand here now before you, there are political prisoners on this planet. They languish in Chinese prisons. Political dissidents and journalists are being silenced and targeted for murder in Russia. Those who seek democracy in Syria are being massacred. The United States has a unique responsibility to highlight, to expose, and to combat these grave human rights abuses around the world.

Historically, we have been a compassionate country that has welcomed people seeking refuge from repression and atrocities. That is why I understand. I understand the concerns about refugees from certain failed states or governments who sponsor terror, places where very often it is difficult if not impossible to verify the identities of people seeking to come to the United States.

I say this to people all the time. When you talk about changes in policies, there is a legitimate argument and a credible argument to be made that there are people we cannot allow into the United States, not because we don't have compassion for their plight but because we have no way of knowing who they are. You can't just call 1-800-Syria and get background information about the individuals who are trying to enter the United States. We know for a fact that there are terrorist groups around the world that have commandeered passport-making machinery and are producing passports that are real in every way, except for the identity of the person in the picture.

So I do believe that we need to have very careful and rigorous screening, more than ever before, of all people entering the United States but especially those who are coming from areas that we know do not have reliable background information available to us.

But at the same time, I cannot help, and I think we should not help, but to be worried about the impact of a 120-day moratorium on every single refugee from anywhere on the planet, refugees from places like the Democratic Republic of Congo, Ukraine, Colombia, El Salvador, Vietnam, Burma, and, of course, Cuba, just to name a few places. These are among the most vulnerable people on the planet, living often in the most difficult and dangerous circumstances imaginable.

I remind everyone: This is a moratorium; it is not a permanent policy. I understand that there are provisions available for waivers, and I find that to be promising.

But I also want to everyone to understand that 120 days, for someone who is trying to get out of a place where they might be killed, may be 1 day too many for some of them. I hope that that does not turn out to be the case. That is why I urge the administration, that is why I urge soon-to-be Secretary Tillerson, to exercise great caution in making sure that dissidents and others are not being turned away.

By the way, I am pleased to see that the administration is heeding some of

these calls already, early this week. We must understand that when tyrants and dictators oppress their people, we are all paying a price. It is happening all over the world. Vladimir Putin continues to institute Draconian laws targeting the freedom of expression and assembly.

Earlier this year, my office and I highlighted the case of human rights activist Ildar Dadin, who was the first person imprisoned under Russia's new criminal provision that bars any form of public dissent.

In China, rights lawyers are tortured. Labor activists are arrested. Tibetan Buddhist nuns are expelled from their homes, and churches are being demolished. Just earlier today, I met the wives of two Chinese rights advocates, who both pleaded for the United States to champion their husbands' cases in the hope that they can see their husbands again.

In Iran, dissent, freedom of expression, and freedom of press is non-existent, heavily restricted. Many continue to be jailed for simply exercising their fundamental human rights. The Government of Iran targets religious minorities, often jailing Christian pastors and those who gather to worship together in private homes. In Syria, one of the worst humanitarian catastrophes in modern history, the Assad regime, with the assistance of Vladimir Putin and the Iranian Government and military, is committing war crimes against innocent women, children, men, and civilians in Aleppo and beyond.

In Iraq, we have seen ancient Christian and Yazidi communities on the verge of extinction, all because of ISIS.

In Venezuela, the Maduro regime continues to imprison political opponents while the country descends further and further into economic chaos and has now become on the verge of a total humanitarian catastrophe in the Western Hemisphere. In one of the richest countries on the planet, we are at the point of people literally starving to death.

Saudi Arabia is an ally of the United States on many key geopolitical issues, and we will have to continue working with them on those shared causes. But they also remain one of the most censored countries in the world. The government has intensified its repression of activists and journalists. In Saudi Arabia, women remain under the male guardianship system. They are banned from even driving.

Globally, assaults against press freedom around the world are a major problem because, ultimately, the cause and champions of human rights need information to expose abuses and call for reforms. Without independent journalists, without information, tyrants and dictatorships can get away with so much more.

According to the Committee to Protect Journalists, in 2016, 48 journalists were killed and 259 journalists were jailed worldwide. In 2016, Turkey, a

NATO member, again, an important geopolitical alliance of the United States, but, sadly, they became the leading jailer of journalists on the planet, following a widespread crackdown on the press.

The abuses and threats to human rights around the world are many. We could be here all night trying to break Senator Strom Thurmond's filibuster record, going country by country, case by case, and it still would not be enough time to do justice to all of the heroic figures around the world. But it is my hope that more of my colleagues will join me in doing so over time because it is important. Our voices here in the Senate give people all over the world confidence and motivation to stay the course.

As famed Soviet dissident Natan Sharansky has said of himself and fellow prisoners of conscience in the Soviet Union: "We never could survive even one day in the Soviet Union if our struggle was not the struggle of the free world."

In essence, what he is saying is that these tyrants and these dictators, when they jail these people, the first thing they tell them is that no one even remembers you anymore. No one talks about you anymore. You have been abandoned.

Today, I want to highlight one particular human rights case as part of the weekly social media campaign my office has been doing for the last couple of years called Expression NOT Oppression.

Here you see a picture of a gentleman named Dr. Eduardo Cardet of Cuba. He is a medical doctor and the national coordinator of the Christian Liberation Movement, a group which advocates for democracy and freedom.

Cardet assumed the role of national coordinator after the suspicious death of Castro critic Oswaldo Paya Sardinias. After allegedly stating in an interview that Fidel Castro was hated by the Cuban people—that is what he said—he was savagely beaten in front of his two young children and wife by Cuban state security on November 30 of last year. He has been in jail ever since.

He has been charged—get this. He has been charged with challenging authority. He faces a 3- to 5-year prison sentence. Let me repeat that. He is officially charged with challenging authority. That is a crime in Cuba. His father has written to Pope Francis begging for his intervention. By the way, this is a reminder that even though Fidel Castro is dead, his authoritarian system still lives on.

Dr. Cardet's persecution and the overall increase in repression in Cuba over the past 2 years is a reminder that the policy of rewarding the Castro regime, under the guise of engagement, with cash and concessions has not worked and must be strategically reversed here in the coming months.

So I come here today in the hope that our President and our State Department and especially Mr. Tillerson,

in whom I am entrusting my vote for confirmation, and all Members of Congress, for that matter, will add their voices in solidarity with Dr. Cardet, with all the Cuban people yearning to be free, and with those around the world who look to our Nation—to America—for leadership and often for nothing more than for us to lend our voice to their cause.

As we move forward here with our Nation's work, we must continue to highlight these cases and to raise awareness of them. We must never forget that there are people all over the world who are challenging authority because they want a better life for themselves and their families. They should be able to challenge authority peacefully and then go home to their families, not be thrown in jail, tortured, or killed.

Today I ask all to pray for those who are victims of their own government. I pray for the release of prisoners of conscience and their families, and I pray that our own country at this moment of extraordinary division on so many key issues can reaffirm its founding principles in calling for the sacred right of every man, woman, and child to be free.

Mr. LEAHY. Mr. President, today the Senate is considering the nomination of Rex Tillerson to be Secretary of State. Mr. Tillerson is an intelligent, hard-working, and successful businessman. He is also, in my view, the wrong choice to be our Nation's top diplomat.

To effectively confront the many challenges our country faces in an increasingly globalized and volatile world, we need a Secretary of State who, with credibility and conviction, can clearly and effectively articulate our interests and values and who has experience advocating for them abroad.

We need someone who will work with the international community to combat climate change, bring to justice war criminals like Bashar al-Assad, and stand up to corrupt, abusive regimes that violate international humanitarian law and territorial integrity as Russia has done in Syria and Ukraine.

We need someone who will advocate for fundamental human rights and democratic values when they are threatened by friend or foe.

I am unconvinced that Mr. Tillerson is that person.

As an accomplished businessman, Mr. Tillerson's lone qualification for Secretary of State seems to be his success in tirelessly circumnavigating the globe to negotiate oil deals. There is no doubt he has helped ExxonMobil expand its business and made a lot of money doing so. But contrary to the view being promoted by the Trump administration, running a for-profit business is fundamentally different from running a large Federal agency.

As the CEO of ExxonMobil, Mr. Tillerson worked closely with corrupt autocrats like Vladimir Putin who were actively undermining U.S. inter-

ests and acting in ways that were counter to our values. In doing so, Mr. Tillerson served his shareholders, but he disregarded the national interests of the United States.

Unlike some in this body, I believe we should have relations with governments we disagree with. But I also believe that, in doing so, we must act in accordance with our principles and values. And I don't believe that being the CEO of one of this country's wealthiest companies entitles you to ignore those values for the sake of making money.

Mr. Tillerson's confirmation hearing provided him the opportunity to reconcile his track record of a lifetime in the oil business with the responsibilities he would have as Secretary of State.

In his testimony, he stated that "American leadership requires moral clarity." I agree. But he was challenged by Senators RUBIO, MURPHY, and others who observed that despite this statement, Mr. Tillerson was unwilling to label the relentless bombardment and destruction of Aleppo by Russian forces as a war crime or the extrajudicial killings of thousands of civilians in the Philippines as a blatant violation of human rights, to cite only two examples of well-documented cases of atrocities he refused to recognize as such.

I worry that Mr. Tillerson will too often be inclined to subjugate fundamental human rights to what he perceives as overriding economic or security concerns. There is nothing in the record to suggest that he recognizes that the protection of human rights is itself a national security imperative or that he would differ from the President on these issues that have become even more important since January 20.

We also have no idea what Mr. Tillerson thinks about the President's misguided, discriminatory, and probably illegal decision to ban entry to the United States of all citizens of Syria and half a dozen other Muslim countries because he has been conspicuously silent, even though the State Department will have a key role in enforcing it. Our diplomats posted overseas will bear the brunt of the retaliatory actions by outraged governments in countries targeted by this arbitrary and self-defeating Executive order.

Nor do we know what he thinks of the President's draft Executive order that signals a drastic reduction in our support for and influence in the United Nations. Will the President consult with Mr. Tillerson before issuing that order? Does Mr. Tillerson think it is a smart way to protect our interests and reassure our allies? We don't know.

ExxonMobil, while Mr. Tillerson was CEO, lobbied to overturn section 1504 of the Dodd-Frank legislation which is designed to stop the illicit flow of revenues from oil and gas extraction to corrupt governments. Senator Lugar, who played a key role in that bipartisan legislation, said at the time that stop-

ping such corruption is a national security and economic priority for the United States. Does Mr. Tillerson think that shrouding in secrecy corruption involving hundreds of billions of dollars by governments who steal from their own impoverished people is in our national interest? We don't know because he doesn't say.

My other abiding concern with this nominee is that we are being asked to confirm the head of the world's largest oil company to be the country's top diplomat, at a time when I believe the most challenging issue we and the world face is climate change resulting from the combustion of fossil fuels.

Uniting the world to combat climate change will not be possible without unprecedented U.S. leadership. Leadership requires credibility, and on this issue, Mr. Tillerson has next to none. He has devoted his professional career—and become a billionaire in the process—to extracting and selling as much oil as possible. If, at his confirmation hearing, Mr. Tillerson had said that he recognizes the causal connection between burning fossil fuels and climate change, that he understands the grave threat it poses, and that he is determined to use the position of Secretary of State to build on the record of the Obama administration to combat climate change, I might feel differently. But he said nothing remotely like that.

To the contrary, when asked at his confirmation hearing if ExxonMobil concealed what it knew about climate change while funding outside groups that raised doubts about the science, Mr. Tillerson said he was "in no position to speak" for the company, even though he had been the CEO until only a few days before. When asked whether he lacked the knowledge to answer or was refusing to do so, he replied "A little of both." That should concern each of us.

Based on his professional record and his responses at the hearing, I do not believe Mr. Tillerson is the right person to be representing the United States in negotiations to reduce carbon emissions, one of the defining issues of our time.

I was also disappointed by Mr. Tillerson's responses to a number of other questions submitted for the record, including regarding U.S. policy toward Cuba and the right of Americans to travel there. By simply repeating the Republican talking points that he would act consistent with the Helms-Burton Act, he appeared to embrace a law that has failed to achieve any of its objectives and has prevented Americans from traveling freely to Cuba or U.S. companies from doing business there.

Does Mr. Tillerson believe that Cuba, an impoverished island of 11 million people who overwhelmingly have a positive opinion of the United States, should remain the country with the most U.S. sanctions of any in the world? He didn't say.

I hope that, if confirmed, Mr. Tillerson will evaluate our policy toward Cuba objectively and in a manner that favors diplomatic engagement—as the overwhelming majority of Cubans and Americans want—over isolation.

I understand that nominees are often unwilling to take hard positions or unable to discuss in detail at this early stage all of the issues they will be required to manage in their new job. But we should expect a nominee for Secretary of State to be willing and able to recognize and condemn horrific violations of human rights and to speak out against actions by foreign governments and our own that are obviously inconsistent with our interests and values.

President Obama did not achieve every foreign policy goal he set out to achieve, nor did I always agree with President Obama's or Secretary of State Kerry's priorities. But we worked together, and with our international partners, we made notable progress over the past 8 years on human rights, climate change, reducing poverty, and many other issues—progress we must continue to build on. With nationalism and isolationism on the rise and democracy and fundamental freedoms under threat, we need a Secretary of State who has demonstrated a track record and commitment to more than economic enrichment.

If Mr. Tillerson is confirmed, which I expect he will be, I will continue my longstanding support for the funding to enable the State Department to carry out its vital mission to protect and promote U.S. interests and values abroad. When he and I agree, I will support him. When we disagree, I will be vocal in my opposition as I was during the Obama administration.

I hope Mr. Tillerson will also be a strong advocate for the State Department's budget and personnel, including by protecting the integrity of the Disent Channel to ensure that alternative views on important policy decisions can be expressed and considered without fear of retribution. Even the best policies in the world are worth little more than the paper they are printed on without the funds and the people to implement them.

We should always remember that the face of the United States is its people. Leadership is possible only through the hard work of the diplomats serving around the world to promote our values, defend our interests, and engage constructively with friends and adversaries. Their service, dedication, and expertise are the reason we are able to effectively confront an increasingly dangerous world. Our success at home is inextricably linked to their success abroad. That is why, just as we support the men and women of our military, so should we recognize and support the diplomats at the Department of State.

The State Department's indispensable role, made possible by its outstanding workforce, is recognized by the many widely respected senior U.S.

Armed Forces officials, current and retired, who have repeatedly called for increased funding for diplomacy and development. They know better than anyone that preventing wars is far less costly than fighting them and that wars rarely if ever turn out the way one predicts, as the past 50 years painfully illustrate.

Regardless of whatever differences of opinion we may have, I hope Mr. Tillerson will consult regularly with Republicans and Democrats, as has been the custom with past successful Secretaries of State of both parties. I have been here a long time, and I would be the first to say that we have had outstanding top diplomats from both parties. I put James Baker in that category, and I sincerely hope that Mr. Tillerson proves me wrong and joins their ranks. We all want what is best for the American people and the Nation, and we are stronger when we work together and with other nations to find a common way forward.

#### HONORING OFFICER DAVID FAHEY

Mr. BROWN. Mr. President, the city of Cleveland lost a committed public servant last week, Officer David Fahey. Officer Fahey dedicated his career to protecting our community and was tragically killed in the line of duty in a senseless hit-and-run.

A Navy veteran, Officer Fahey followed in the footsteps of his mother and his stepfather, both retired Cleveland police officers, and his brother Chris, an officer who joined the force in 2013.

At a memorial last week, his brother said that Officer Fahey "loved this neighborhood; he loved working for this neighborhood and he loved this city, and he loved working for this city."

And our city has given his family an outpouring of support.

A crowd of some 200 people gathered outside the First District police headquarters for a vigil.

Fellow officers from the Cleveland Police Academy's 133rd graduating class came out to honor their classmate's memory. They prayed together, calling him their brother, their friend, and their angel.

That spirit of community represents the best in our city that Officer Fahey loved and served.

Connie and I extend our deepest sympathies to Officer Fahey's family and fellow officers. We pray that this outpouring of support and comradeship brings them comfort during this difficult time.

We join our fellow Clevelanders in thanking David Fahey for his service to our community.

#### TRIBUTE TO JAMES D. WISE

Mr. TESTER. Mr. President, today I wish to honor a great man, a colleague, and my friend: Jamie Wise.

It was nearly 10 years ago that Jamie joined Team Montana. The passionate Representative ROSA DELAURO had toughened him up and groomed him for success in the world's most delibera-

tive body. As a newly elected Senator ranked 100 in seniority, one of the first decisions I made was to hire Jamie.

Some may say it is tough to break into Team Montana. We are few but proud, an independent but tight-knit family, a little unpolished, but persistent and most often underestimated. Jamie fit right in.

With his sharp wit and dry sense of humor, he quickly became a Montanan. Hailing from his adoptive hometown of Great Falls, it was a natural fit for him to tackle my veterans, defense, and homeland security portfolios. And tackle it he did.

He wrote my first bill that was signed into law to more fairly reimburse veterans who are traveling to and from their doctors' appointments. It may seem like a simple thing, but it has been life changing for veterans all across this Nation who cannot afford a tank of gas but are facing debilitating medical conditions and need to see their doctor. This bill would set the stage for Jamie's long and incredible career in my office.

Jamie's dedication to Montana has taken him down into the silo of an intercontinental ballistic missile, from the embassy in Yemen, to the Port of Wild Horse on the border of Canada. Needless to say, his legislative chops are unmatched on the Hill. His ability to look 1 inch ahead while also calculating the roadblocks 100 miles away is a skill that can't be taught. It is instinctual.

Jamie worked hard, long hours and rose through the ranks from legislative assistant to legislative director and ultimately chief of staff. It was common to find Jamie sitting in his office into the wee hours of the night plowing through appropriations bills, making sure Montana got its fair shake. Those long hours produced real results for families and small businesses across the State. You can see Jamie's fingerprints on hundreds of letters, thousands of press releases, and the careers of dozens of young, aspiring staffers.

James D. Wise has left his mark on this world, and I can't wait to see what he takes on next.

So today, I wish to thank Jamie on behalf of this Nation, 1 million Montanans, and one grateful Senator.

#### STATE OF THE UNION ESSAY CONTEST FINALISTS

● Mr. SANDERS. Mr. President, I ask to have printed in the RECORD some of the finalist essays written by Vermont high school students as part of the seventh annual State of the Union essay contest conducted by my office.

The material follows:

#### ZOE HOULIHAN, NORTH COUNTRY UNION HIGH SCHOOL FRESHMAN (FINALIST)

When you think of America, do you think of McDonald's, big cities, high-tech phones and computers, or do you think about violence, fear, and hatred amongst people? Although America seems like a great place full of opportunities and freedom, it is quite the opposite if you are not a white, straight, cisgendered male. There are many problems in America that need to be fixed.

Racism has been ongoing for hundreds of years. Blacks, Hispanics and many other

non-white groups have faced discrimination and hatred because of the color of their skin. Blacks are thought as more violent and lazy than whites. African Americans now constitute 1 million of the 2.3 million imprisoned population. They are also incarcerated at six times the rate of whites. NAACP says that 5 times as many whites are using drugs as Blacks, but they are being sent to prison at 10 times the rate of whites. Moreover, Blacks are getting shot at higher rate than whites. Although more whites are getting shot, there are about 160 million more white people than there are black people. While Whites make up 49% of those fatally shot by police officers, Blacks make up 24%, despite only being 13% of the US population. More than 250 blacks were killed in 2016. Furthermore, 47% of hate crimes have to do with race. Racism is such a big problem in America it's hard to say what an effective solution would be. One solution to this could be to get media stars that are POC to talk about racism. This could cause their fan base (which can be quite large) to change their ideas about African Americans. Another solution is to educate people on racism. Teaching young children in school about how racism started could lessen the number of people in each generation that feel negatively about people of color. Lastly, the government should make the policies about racism in schools and workplaces stricter. Telling kids "That is not appropriate" when they make a racist comment isn't doing anything. People need to be punished for making these comments because if they aren't it makes it seem like it isn't a big deal.

Another problem in America is sexism and sexual assault. Sexism makes it harder for women to get jobs and be well-off in life. According to the Huffington Post, well-off white men are three times more likely than women to be offered a job interview. Moreover, women that work 41-44 hours per week earn 84.6% of what a man working that same time would earn. Women that work more than 60 hours a week earn only 78.3% of what a man would earn. Similarly, in the House of Representatives only 19.3% are women, and in the Senate only 20% are women. In addition, when a woman claims to have been sexually assaulted, men usually blame the women. They ask what they were wearing, how "revealing" it was, and if they were under the influence of drugs or alcohol. One in four women will be sexually assaulted in their lifetime. Also, 683,000 adult women are forcibly raped each year. This is equal to 56,916 per month, 1,871 per day and 78 per hour. One solution to women not getting paid as much as men could be to make a policy that both women and men are to be paid equally. Furthermore, a solution to sexual assault is to teach kids about consent and to give longer sentences to people that have committed sexual assault. Another solution to sexism is to have more women representation in media and politics. This could help eliminate the thought that women are only made to have children, clean and cook. It would also give young girls more role models to look up to.

Finally, the last issue that needs to be fixed is hate and discrimination against the LGBT+ community. According to an analysis of data collected by the FBI, lesbian, gay, bisexual, and transgender people are the most likely targets of hate crimes. An example of a hate crime against the LGBT+ community is the Orlando nightclub shooting. 49 were killed and at least 53 were injured. This shooting is considered the worst mass shooting in the United States and the nation's worst terrorist attack since 9/11. Additionally, LGBT+ people experience discrimination in the workforce. They actually have a higher unemployment rate than African

Americans (15% versus 12%). People of color that are also apart of the LGBT+ community face the most discrimination. A solution to this problem could be to educate young children about the different sexualities and explain that it's okay to feel attracted to whomever. Another solution is to create policies that would help protect people in the LGBT+ community. Lastly, there should be stricter rules about when a teacher hears a homophobic comment. Many kids say "That's so gay" when something that they don't like happens and i could make other kids feel unsafe.

In conclusion, America has many issues with equal rights that need to be fixed. One of the main solutions to every problem is education. When people are educated, they can use their knowledge to base their opinions off instead of going with what the popular opinion is or what they are hearing around them.

GRAHAM JANSON, MONTPELIER HIGH SCHOOL  
JUNIOR (FINALIST)

Whenever you ask someone the question, "What is the most pressing issue facing our nation today?" you will most likely get a different answer every time. An environmentalist might say, "Carbon emissions and global warming." A conservative activist might say, "The increasing national debt." There are many answers to this question. But there is only one answer that addresses an issue that lies at the center of our nation's existence. That answer is that the fundamental democratic principles on which the United States is based are being eroded by voter suppression and gerrymandering.

Efforts to suppress voting rights for many people have been around since the Constitution was adopted as the supreme law of the land, when only property-owning white men could vote. We have come a long way since then, with African Americans, Native Americans, and American women gaining the right to vote, but we still have a long way to go. Similar to during Reconstruction, when literacy tests were used to deny African Americans the right to vote, a now-overturned North Carolina voter ID law was in effect that, according to the federal appeals court that dealt with the case, deliberately "target[ed] African-Americans" in an attempt to suppress their voter turnout. Other states, such as Ohio, Kansas, and North Carolina, have had voter ID laws that have been overturned after being ruled discriminatory by a federal appeals court. The overturning of these laws is already a step in the right direction. A way to address voter-suppression efforts is to require a federal court review for every voter ID law to make sure that there is no discrimination or infringement of American rights. Another way is to restore the provisions of the Voting Rights Act of 1965.

Additionally, the repeal of some of the key aspects of the Voting Rights Act in 2013, which allowed nine states to alter their election laws without the approval of the federal government, demonstrates how gerrymandered elections can serve to undermine basic democratic principles. Gerrymandering involves altering the areas of electoral districts to favor one party or another, and both Democratic and Republican politicians have engaged in gerrymandering in the past. There have been many cases in which a political candidate has won an election because of gerrymandering. This clearly undermines our nation's democratic principles because now a candidate can carry the minority of an electorate and win an election, and it needs to change now. Furthermore, because these same elected officials appoint and confirm federal judges, voter suppression and gerrymandering can also undermine the judi-

ciary's vital role in protecting democratic voting rights.

In conclusion, the restoration of equal voting rights and the elimination of gerrymandering would allow the United States to remain a true democracy. Indeed, the other pressing issues that face our nation today, such as global warming, economic development, immigration, healthcare, and gender equity, cannot be fairly addressed while our nation continues to utilize this flawed system that does not reflect democratic values.

IRA RICHARDSON, BELLOWS FALLS UNION HIGH  
SCHOOL SENIOR (FINALIST)

When George Washington delivered his farewell address, he stated that "The alternate domination of one faction over another, sharpened by the spirit of revenge, natural to party dissension . . . is itself a frightful despotism." Our first and only president who was not a member of a political party attempted to warn us of the threats they can pose to democracy. Today, however, the Democratic and Republican parties have become so powerful that one can hardly imagine the American democratic system without them. In a sense, this is one of the sources of their overbearing power: many Americans see them as an intrinsic part of our democracy rather than two organizations that were created long after the union to organize like-minded voters. Political parties are not inherently bad, but a system which creates a forced dichotomy by only giving voters two realistic choices for any given position has unquestionable negative effects on our nation. Firstly, it forces citizens who care deeply about specific issues to routinely vote for candidates whom they may not agree with in any other capacity so as to not violate their personal moral code. This, in turn, allows parties to cynically align themselves with these single-issue voters to win their votes without truly sharing their values. Additionally, two diametrically opposed political parties give rise to an us-versus-them mentality among citizens, eroding the mutual trust that is intrinsic in the formation of a nation.

To reduce the near-hegemonic power that the parties currently hold, it is imperative to make it more clear to the American public that both parties are private organizations, operating within their own processes and promoting goals that are not necessarily those of their constituents. The intention is not to cause Americans to stop supporting the party they belong to, but rather not to follow any party blindly, and to understand their complex histories and role in American democracy. Another step towards a system in which people could more consistently vote for politicians they truly support would be the implementation of an instant run-off (aka alternate or ranked) voting system. In such a system, a voter does not select a single candidate to receive a position, but rather ranks the order in which they support each candidate. If no candidate has over fifty percent of the vote, the candidate with the least votes is eliminated and every citizen who selected them has their votes moved to their next choice, and the votes are tallied again. This process is repeated until a candidate has a majority. This alternative would allow people to vote their conscience without fear of handing the election to a candidate on the opposite side of the political spectrum. It would not destroy the existing political parties (which would be destabilizing) but rather allow third-party and independent candidates to speak for portions of the population who cannot identify with either existing party. By reducing the power of the two major parties, the environment necessary to address the many problems facing America could be created.

JULIA STERGAS, BELLOWS FREE ACADEMY  
FAIRFAX SENIOR (FINALIST)

Nearly 260 years ago our country endured a war over the rights of our states and the rights of its peoples. From this war came the first legislation to protect African Americans living in the United States. One-hundred years later, our country faced another revolution, resulting in new legislation that enhanced the ability for African Americans to participate in political and social life. Since then, many Americans have believed that racial equality has been achieved.

But here we are, fifty years later, struggling through yet another conflict over the divide between black and white. Tensions are high between African Americans and white authority figures in the United States. Distrust and anxiety separates black Americans from their government and onlooking citizens. In 2014, Michael Brown was shot and killed by a police officer in Ferguson, Missouri. That same year, a barrage of negative media emerged from an originally peaceful protest in Baltimore, Maryland, depicting unlawful rioters who looted and set fire to business, injuring six police officers. Now, we continue to watch video clips on nightly news highlighting the struggle between black and white. Through this our attention has been distracted from the true cause of continued racial conflict: the lack of recent successful intervention.

White authority figures are perpetually distrusted by the black community, and groups such as Black Lives Matter still believe inherent biases against African Americans are abundant in society. We must rebuild this connection. To achieve comprehensive change we must redirect our nation's path. The first step toward action is awareness. This issue must be introduced into schools, universities, and community centers. If we can enlighten young adults they will share their knowledge and work to obtain equality nationwide.

Educators would lead discussions on current and historic racial tensions in a non-partisan, open environment. Focusing on historic and current events and their social and political ramifications, these open debates would promote civic engagement and thoughtful problem solving. Prompts regarding the government's involvement and the responsibilities it should assume, the action we as the nation's youth should assume, and opportunities to develop individual solutions would be considered during discussion. Our young population is critical to the future of our nation, so it is necessary that we provide them with opportunities to immerse themselves in their political and social world.

Today's generation and the ones to follow will be our leaders and our visionaries. Incorporating awareness into education programs would introduce these leaders to the nuances of the world they will come to inspire, and allow them to develop an understanding of their political efficacy. Raising consciousness of this racial strain would encourage young leaders to take charge of their futures, and ours, and incite change. It is critical to the well being of our nation that we cultivate a generation of educated young adults who possess the skills to maneuver themselves in their political and social world. Addressing our nation's imperfection and coaching our youth will only be the start to a nationwide revolution of change and acceptance.●

#### MESSAGE FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 46. An act to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York.

H.R. 339. An act to amend Public Law 94-241 with respect to the Northern Mariana Islands.

H.R. 374. An act to remove the sunset provision of section 203 of Public Law 105-384, and for other purposes.

H.R. 381. An act to designate a mountain in the John Muir Wilderness of the Sierra National Forest as "Sky Point".

H.R. 538. An act to redesignate Ocmulgee National Monument in the State of Georgia and revise its boundary, and for other purposes.

H.R. 558. An act to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, and for other purposes.

H.R. 560. An act to amend the Delaware Water Gap National Recreation Area Improvement Act to provide access to certain vehicles serving residents of municipalities adjacent to the Delaware Water Gap National Recreation Area, and for other purposes.

The message further announced that pursuant to 22 U.S.C. 1928a, and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives to the United States Group of the NATO Parliamentary Assembly: Mr. CONNOLLY of Virginia and Ms. FRANKEL of Florida.

The message also announced that pursuant to 22 U.S.C. 2903, and the order of the House of January 3, 2017, the Speaker appoints the following Member of the House of Representatives to the Japan-United States Friendship Commission: Mr. TAKANO of California.

The message further announced that pursuant to 22 U.S.C. 2761, and the order of the House of January 3, 2017, the Speaker appoints the following Member of the House of Representatives to the British-American Inter-parliamentary Group: Mr. CICILLINE of Rhode Island.

The message also announced that pursuant to 22 U.S.C. 3003, and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives to the Commission on Security and Cooperation in Europe: Mr. HASTINGS of Florida and Mr. COHEN of Tennessee.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-653. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to spending limits; to the Committee on the Budget.

EC-654. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Changes to Certain Alcohol-Related Regulations Governing Bond Requirements and Tax Return Filing Periods" (RIN1513-AC30) received during adjournment of the Senate in the Office of the President of the Senate on January 18, 2017; to the Committee on Finance.

EC-655. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to construction of the Keystone XL Pipeline; to the Committee on Foreign Relations.

EC-656. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the Mental Health and Substance Use Disorder Parity Task Force, received during adjournment of the Senate in the Office of the President of the Senate on January 19, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-657. A communication from the General Counsel, United States Access Board, transmitting, pursuant to law, the report of a rule entitled "Information and Communication Technology (ICT) Standards and Guidelines" (RIN3014-AA37) received in the Office of the President of the Senate on January 17, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-658. A communication from the General Counsel, United States Access Board, transmitting, pursuant to law, the report of a rule entitled "Americans With Disabilities Act (ADA) Accessibility Guidelines for Transportation Vehicles" (RIN3014-AA38) received in the Office of the President of the Senate on January 17, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-659. A communication from the General Counsel, United States Access Board, transmitting, pursuant to law, the report of a rule entitled "Standards for Accessible Medical Diagnostic Equipment" (RIN3014-AA40) received in the Office of the President of the Senate on January 17, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-660. A communication from the Secretary of the Board of Governors, U.S. Postal Service, transmitting, pursuant to law, a report relative to the Postal Accountability and Enhancement Act of 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-661. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; First Quarter of Fiscal Year 2017"; to the Committee on Veterans' Affairs.

EC-662. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XF010) received in the Office of the President of the Senate on January 12, 2017; to the Committee on Commerce, Science, and Transportation.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Ms. MURKOWSKI for the Committee on Energy and Natural Resources.

\*Ryan Zinke, of Montana, to be Secretary of the Interior.

\*James Richard Perry, of Texas, to be Secretary of Energy.

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

\*Elisabeth Prince DeVos, of Michigan, to be Secretary of Education.

By Mr. RISCH for the Committee on Small Business and Entrepreneurship.

\*Linda E. McMahon, of Connecticut, to be Administrator of the Small Business Administration.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

AUTHORITY FOR COMMITTEES TO MEET  
SELECT COMMITTEE ON INTELLIGENCE

Mr. CASSIDY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session on January 31, 2017, at 2:30 p.m. in room SH-219 of the Senate Hart Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. NELSON. Mr. President, I ask unanimous consent that Commander Dan Hurd, U.S. Coast Guard, a fellow in my office, be granted floor privileges for the remainder of the week.

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

Mr. RUBIO. Mr. President, I ask unanimous consent that all time during recess or adjournment of the Senate count post-cloture on the Tillerson nomination; further, that following the prayer and pledge, the remaining post-cloture time be equally divided between the two leaders or their designees.

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

PROGRAM

Mr. RUBIO. The Senate is about to adjourn.

Under the standing order, we will convene at 12 noon tomorrow. Following the prayer and pledge, we will resume consideration of the Tillerson nomination post-cloture.

For the information of all Senators, the post-cloture time on the Tillerson nomination will expire at approximately 2:30 p.m. Eastern Time tomorrow, and the Senate will vote on confirmation at that time.

VOTE ON MOTION TO ADJOURN

Mr. RUBIO. I move to adjourn.

The PRESIDING OFFICER. The question is on agreeing to the motion to adjourn.

The motion was agreed to.

ADJOURNMENT UNTIL TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 12 noon tomorrow.

Thereupon, the Senate, at 8:01 p.m., adjourned until Wednesday, February 1, 2017, at 12 noon.

CONFIRMATION

Executive nomination confirmed by the Senate January 31, 2017:

DEPARTMENT OF TRANSPORTATION

ELAINE L. CHAO, OF KENTUCKY, TO BE SECRETARY OF TRANSPORTATION.