

Even in the party that won't speak the words "climate change" any longer—not since Citizens United cleared the way for big spending by polluters in Republican primaries—even in the Republican Party, among young Republican voters 35 and under, the majority of them feel that climate denial is either ignorant, out of touch, or crazy. If that is what young Republicans feel, that is a very poor foundation for the Republican Party to maintain this denier policy.

The campaign of money and denial that imprisons Congress is as poisonous to our American democracy as carbon pollution is to our atmosphere, oceans and, yes, glaciers. It is time to fight back. It is time to wake up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

#### ADEGBILE NOMINATION

Mr. CRUZ. I rise today to pay tribute to the men and women across the country serving as police officers who protect law-abiding Americans. It is out of this respect for our Nation's police officers that I also rise to oppose the nomination of Debo Adebile to be the head of the Department of Justice's Civil Rights Division.

We must always remember our Nation's fallen police officers who have bravely given their lives to serve our Nation and to protect us.

Police officers help form the backbone of our country that supports the rule of law. They risk their lives every day to help keep law-abiding citizens safe. According to the FBI, in 2012, 95 law enforcement officers were killed in line-of-duty incidents and 52,901 officers were victims of line-of-duty assaults—52,901.

The New York Times in 2012 observed: "As violent crime has decreased across the country, a disturbing trend has emerged: rising numbers of police officers are being killed."

In 2008, 41 officers were killed; in 2009, 48 officers were killed; in 2010, 56 officers were killed; in 2011, 72 officers were killed; and in 2012, 95 officers were killed.

Unfortunately, as Byron York noted today, the New York Times has not reported on the controversial nomination of Debo Adebile to head the DOJ Civil Rights Division.

It is out of respect for all of our Nation's police officers that I rise to oppose Mr. Adebile's nomination. Under Adebile's leadership and supervision, the NAACP Legal Defense Fund brazenly politicized the murder of a Philadelphia police officer, Officer Daniel Faulkner. On December 9, 1981, 25-year-old Officer Faulkner was murdered by Wesley Cook, who is widely known as Mumia Abu-Jamal. Officer Faulkner was shot several times. The fatal shot was when Abu-Jamal pointed the gun inches from Officer Faulkner's face and pulled the trigger.

During the trial it was made known that Abu-Jamal was a supporter of the

MOVE Organization, an anarchist group that explicitly advocates for violence against police officers.

In a letter to the Senate Judiciary Committee, Mrs. Faulkner described that during the trial, when her husband's bloodstained shirt was displayed by the evidence handler, Abu-Jamal turned in his chair and smirked directly at her, the grieving widow. The jury convened for a matter of hours before they came back with a guilty verdict and a death sentence. That was 1982.

Fast forward 27 years to the year 2009, Adebile was at the time the NAACP's Legal Defense Fund Director of Litigation. In 2009, the Legal Defense Fund began advocating for Abu-Jamal—first as an amicus and then as cocounsel. To be clear, every criminal defendant is entitled to an attorney, but Adebile's representation of Abu-Jamal was pure advocacy.

Abu-Jamal's guilt was not in doubt. Four eyewitnesses saw the shooting. Abu-Jamal confessed and stated in front of three witnesses that he hoped Officer Faulkner died.

There was significant ballistic and forensic evidence. For example, the murder weapon was registered to Abu-Jamal and found at the scene with spent shell casings.

Abu-Jamal already had a team of high-priced lawyers working pro bono, who had filed decades of post-trial petitions and appeals, delaying the carrying out of his sentence.

Under Adebile's supervision, LDF lawyers fanned the flames of racial tension. Through rallies, protests, and a media campaign, all portrayed Mumia Abu-Jamal, an unrepentant cop killer, as a political prisoner.

For example, a 2011 LDF press release said: "Abu-Jamal . . . is widely viewed as a symbol of the racial injustices of the death penalty."

That press release also said: "Mumia Abu-Jamal's conviction and death sentence are relics of a time and place that was notorious for police abuse and racial discrimination."

LDF lawyers under Adebile's supervision went farther than that. They held rallies and protests.

This is advocacy. This is political advocacy. This is extreme and radical advocacy. This is not legal representation. They even went so far as to travel to France to hold multiple rallies for Abu-Jamal. The French had already named a street after Abu-Jamal in a suburb of Paris.

This prompted the House of Representatives in 2006 to vote 368-31 to condemn the murder of Officer Daniel Faulkner and to urge the French town to change that street name.

After fanning those flames of racial tension in the court of public opinion, Adebile pressed aggressive arguments on race in our courts of law. Thankfully, the State and Federal courts rejected those arguments.

Under Adebile, the LDF initially argued in court that Abu-Jamal's death

sentence should be overturned because he believed there should have been more African Americans on Abu-Jamal's jury.

During his Senate confirmation on January 8, Adebile said the LDF filed a legal brief regarding merely jury instructions about the death penalty. LDF did make those arguments eventually, but Adebile's initial arguments had nothing to do with jury instructions. They were arguments that Abu-Jamal's jury was unconstitutional because it didn't have, he argued, a sufficient number of African Americans serving in the jury.

The courts rejected those arguments. The jury that convicted Abu-Jamal had two African Americans serving on it. It would have had a third African American serving on it but Abu-Jamal instructed his lawyers to strike that person.

The Fraternal Order of Police vehemently opposes this nomination. According to a letter written by the president of the FOP, Adebile's nomination only exacerbates the "growing division and distrust" toward local law enforcement agencies—a trend that has continued from the time now-Labor Secretary Thomas Perez was leading the Department of Justice's Civil Rights Division.

Peter Kirsanow, a member on the U.S. Commission on Civil Rights, wrote:

Responsible people should agree that going out of your way to defend a convicted cop-killer long after it has become unequivocally clear that he was guilty and had suffered no violation of his civil rights disqualifies one from serving as the head of a division of the U.S. Department of Justice.

The Obama administration's message with the nomination is clear: It wants even more politicization of the Department of Justice. This is insulting to law enforcement officers everywhere. I stand with the Fraternal Order of Police and oppose Adebile's nomination, and I urge my Democratic colleagues to join the Democratic senior Senator from Pennsylvania, Mr. BOB CASEY, and vote no on this nomination.

This is not a matter of leftwing or rightwing. We all should agree that violent criminals should be punished, and we all should agree that those who go out of their way to advocate for, to celebrate, to lionize convicted cop killers are not suitable for major leadership roles at the U.S. Department of Justice.

I urge every Member of this body to oppose that nomination.

I yield the floor, and 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. FLAKE. 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. FLAKE. I rise to discuss the nomination of Mr. Debo Adebile to

head the Civil Rights Division of the Department of Justice.

I attended Mr. Adebile's hearing in the Judiciary Committee and submitted additional written questions after the hearing. Unfortunately, after hearing testimony and reviewing his responses to questions, I remain concerned with Mr. Adebile's ability to set aside more than a decade of advocacy on behalf of this and other liberal causes to serve as a neutral enforcer of our Nation's civil rights laws. And it appears I am not the only person who has reached this conclusion.

His nomination is opposed by numerous law enforcement officers, including those represented by the Fraternal Order of Police, National Sheriff's Association, the Major County Sheriffs' Association, the National Association of Police Organizations, the New Jersey State Policeman's Benevolent Association, and the National Narcotics Officers' Association.

This widespread opposition is clearly not driven by partisanship but by a heartfelt concern that this nominee is not suited for the position.

I have no doubt Mr. Adebile is an intelligent and hardworking lawyer with a commendable record of advocacy, but that does not mean he should head the Civil Rights Division.

One of the responsibilities of the Department of Justice's Civil Rights Division is to handle civil rights violations by law enforcement officers from across the country. However, serious questions have been raised about Mr. Adebile's ability to apply the law fairly in these cases, given his advocacy on behalf of a convicted cop killer.

As the Fraternal Order of Police stated in its letter of opposition, in the decades Mr. Adebile pushed this effort, he "falsely disparaged and savaged the good name and reputation of a lifeless police officer" in order to further his case.

The National Narcotics Association shares this analysis of Mr. Adebile's advocacy, noting that he:

... fabricated a baseless and unproven defense while also defaming the victim, Police Officer Daniel Faulkner, which raises serious questions about the nominee's judgment, especially considering the important position to which he has been nominated.

There is no doubt as to Mumia Abu-Jamal's guilt. Afterward, he bragged about shooting Daniel Faulkner, and four witnesses saw the shooting. After being convicted and sentenced, Mumia's lawyers filed dozens of appeals on his behalf, which would suggest he had more than adequate legal representation. However, almost 28 years after his conviction, Mr. Adebile decided to volunteer his time to assist Mumia. In a series of appeals and press events, Mr. Adebile's organization called into question the motivations of the law enforcement officers responsible for Mumia's conviction and distorted the record, calling his conviction and sentence a "relic of a time and place that was notorious for police abuse and racial discrimination."

As the Philadelphia district attorney's opposition letter states, Mr. Adebile's work on this case "sends a message of contempt to police officers who risk their lives every day to maintain the peace."

The district attorney concluded that Mr. Adebile "is ill-suited for a pivotal role in the Justice Department."

The appalling facts of this case are well known. In fact, in 2006, the House of Representatives passed a resolution condemning the history of this case and recognizing the culpability of Mumia by a vote of 368 to 31. There are others, such as myself, now serving in this Chamber who voted in favor of that resolution.

It is deeply troubling that we are faced with voting on this nominee now, after Senate rules have been broken and the minority has no say in executive or judicial nominations. Requiring the support of at least some minority Senators discourages both the nomination and appointment of fringe or problematic nominees, something which benefits the country as a whole. Those rules ensure the Senate was the cooling saucer that George Washington and the other Founders intended. They also ensured heads of executive agencies were responsive to both the majority and minority parties. That is no longer the case.

I do not think we would be moving forward on such a divisive nominee—one who elicits widespread opposition from across the political spectrum—if the majority had not employed the nuclear option last November. I hope we don't move forward with this nomination. I hope my colleagues will join me and others in voicing opposition to this nomination moving ahead.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. I ask unanimous consent that the quorum call be rescinded.

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

Mr. PORTMAN. Mr. President, I rise today to urge my colleagues to join me in opposing the nomination of Debo Adebile to head the Civil Rights Division of the Department of Justice.

The Constitution grants to the President the power to nominate individuals to head the various Federal agencies and departments, but it falls to us in the Senate to ensure those nominees are worthy of the honor and are ready for such responsibility. I don't make it a practice of opposing nominees. In fact, I generally give the President discretion there. I have voted to give him wide latitude in filling the executive branch with individuals of his choice when I believe they are qualified. I have voted along with the minority Republicans who endorsed and confirmed

a number of the President's nominees. But when it comes to a nominee who lacks the essential qualifications to fill one of these high offices, those of us charged with providing advice and consent cannot remain silent. Unfortunately, this is one of those cases.

It takes more than a law degree from a prestigious school and an impressive résumé to head an agency to support the Civil Rights Division at the Department of Justice. Most importantly, I think it takes judgment which cannot be measured by test scores or diplomas. It can only be measured over time through someone's actions.

If we look at Mr. Adebile's record, it is obvious to me and so many of us in the Senate and around the country, including the Fraternal Order of Police, who have not opposed an executive branch nomination, by the way, in 17 years, who are taking a strong stand against this confirmation.

First, as some of his colleagues and my colleagues on the Senate floor have noted, Mr. Adebile has a history of taking positions on some of our fundamental constitutional rights that I think are out of step with the views of the American people, the judgments of our judiciary, and our Nation's history.

In the case of *Hosanna-Tabor v. EEOC*, Mr. Adebile argued that religious institutions do not have the right to hire or fire individuals responsible for conveying a church's teachings, a view that, were it to become law, would severely undermine religious liberty. Mr. Adebile was so out of step with the Constitution on that issue that his view was rejected by the Supreme Court 9-0, which in today's typical 5-4 split in the Supreme Court is quite an accomplishment.

Mr. Adebile's view on the First Amendment is troubling. So too are his views of the Second Amendment. He has repeatedly asserted that the Second Amendment does not "protect an individual's right to keep and bear arms." If Mr. Adebile had his way, millions of Americans would lose one of their most cherished rights, just like that. Whenever a piece of gun control legislation comes to the floor of this Chamber, my colleagues on both sides of the aisle—and, in fact, my colleagues on the other side of the aisle—assure us they will always respect a fundamental right to bear arms. It is unfortunate that despite the words of the Constitution and its interpretation by the Supreme Court, Mr. Adebile cannot give us those same assurances.

There is the case of Mumia Abu-Jamal. Abu-Jamal is a murderer. In 1981 he gunned down a police officer named Daniel Faulkner on a Philadelphia street. In an act of unmatched brutality, Mumia Abu-Jamal stood over Officer Faulkner as he lay dying and shot him in the face. A mountain of evidence from eyewitness accounts, forensics, to his own words makes it clear beyond any doubt that Abu-Jamal killed Officer Faulkner on that day in December 1981.

Still, Abu-Jamal deserved his day in court as would any other American accused of a crime. He got his day in court. He deserved competent counsel, and he got that too. He deserved an opportunity to appeal, and he got it. In fact, after the matter turned from a criminal matter to an issue of justice and to a political cause, he received some of the best counsel in the country and they filed appeal after appeal, all of which were rejected.

But that didn't stop Mr. Adegbile from claiming that Abu-Jamal was a victim of racism and a corrupt judicial system. For Mr. Adegbile, Abu-Jamal's case was apparently an opportunity to focus more on a political agenda than the case at hand. Abu-Jamal's guilt or innocence was not really the concern.

Debo Adegbile is free to make any arguments he sees fit about the First and Second Amendments. He is free to turn the murder of a police officer into a cause to advance a political agenda. When he does so, I think it says something about his judgment and it says something about his fitness to lead the Civil Rights Division of the Department of Justice.

The Department of Justice and police forces around our country should be working together to ensure that minority rights are respected and that civil rights abuses are punished. In my view, this nominee would only make that work more difficult. As the Fraternal Order of Police wrote in a letter to President Obama, if Mr. Adegbile is confirmed it will serve to "exacerbate growing division and distrust" between the Civil Rights Division—which is charged with securing our most basic freedoms—and the men and women of law enforcement who defend those freedoms by putting their lives on the line every day.

I think we can and should do better with a nominee who can work with the Fraternal Order of Police and other law enforcement around the country in ensuring that our most basic freedoms are secured through the Department of Justice's Civil Rights Division.

For these reasons I oppose the nomination of Mr. Adegbile to this position, and I urge my colleagues on both sides of the aisle to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

#### UKRAINE CRISIS

Mr. COATS. Mr. President, I have been discussing the Ukraine crisis with my constituents and a number of Indiana media outlets for the last few days. Virtually every interview or conversation on the subject includes this question: What difference does this make to us here in Indiana? What American interests are at stake? These are legitimate questions, and they deserve an answer because before we commit America to address potential conflicts, we need to describe and define just what our interest is and why we should be engaged.

In this conflict we are not talking about the use of military force, but we are thinking about and talking about and should be examining other measures that can influence the outcome of a crisis situation that could have significant consequences for the American people.

If we can't answer that question and we can't address that with a compelling answer, then we should not get engaged. But if we can determine a compelling answer and reason why we should engage in some form, then we need to make sure the American people know why it is we are renewing this and why this is important.

Ukraine is 5,000 miles away. The trade between our two countries is minuscule and shrinking. Only 30 percent of the Ukrainian population shares our Christian faith or identifies with any faith. Ukraine is the source of no energy or crucial materials. Indeed, the country is a source of instability and corruption. So why should Americans and Hoosiers care about what is happening to a country 5,000 miles away? Well, let me suggest some reasons and then perhaps some suggestions as to what would be the best way for us to help influence this crisis situation in a way that is positive for our country and, frankly, for Western democracy and for the world.

The first and most obvious reason we should take this seriously is the central lesson of history: Conflicts—even catastrophes—sometimes grow from small beginnings. Most know that the assassination of an imperial relative in a Balkan town in 1914 led to the death by violence of 37 million people—World War I. We also know that the cataclysm of World War II began with the stealth invasion of Austria and Czechoslovakia in 1938. Despite warnings as to what this might lead to, we saw a tragic loss of tens of millions of people in World War II. This is eerily reminiscent of Russia's moves on Crimea last week.

A history lesson closer in time is taught by the Balkan wars of the 1990s. When Serb gunboats shelled Dubrovnik, a Croatian city, in 1992, the world—and most especially Croatia's European neighbors—did exactly nothing. Our own Secretary of State said repeatedly that there were no American interests at stake. Before that view was changed and NATO eventually intervened 3 years later, more than 100,000 people had been slaughtered.

If the international community had had the collective wisdom and leadership—and, frankly, courage and guts—to simply tell Belgrade that civilian European population centers are no longer shelled in modern Europe, all of that suffering could have been prevented and our own Armed Forces could have stayed in their barracks and in their homes.

We should draw from such lessons so that we need not confront later the question of whether we should inter-

vene militarily in a Ukrainian civil war or a war between Ukraine and Russia. Instead, we must confront now the choice we have of doing nothing and letting Putin have his way or leading an American and an international response to impose penalties on Putin's Russia so that he comes to his senses.

A second and related American interest is in the stability of the European continent itself. Ukraine is not an obscure sideshow. It is comprised of remnants of two European empires and deeply embedded in the integrated structure, identity, economy, and culture of Europe as a whole. Disaster there threatens a very great deal in Europe, a continent we have spent 100 years, trillions of dollars, and hundreds of thousands of lives to stabilize. European security and stability have been at the very heart of our foreign and defense policy for an entire century. If American foreign policy and American strategic interests in the world have any permanent core, it is that interest in Europe's well-being.

Ukraine's conflict with the remnants of Soviet-style aggression portends serious threats to the rest of Russia's border lands, nearly all of which were long dominated by Red Army presence and force. The Baltic states must be alarmed right now. If we do nothing, they could panic.

Poland has already summoned NATO councils to consider consequences for its own security and therefore for the security of the alliance. Georgia painfully reflects that the paltry international response to its own war with Russia five years ago surely emboldened Putin in this latest adventure.

In other words, we could be looking at a Sudetenland moment. We hope that is not the case.

It is no secret that Putin has imperial ambitions motivated by his pathological insecurities and a quest to restore lost glories. These are dangerous delusions that, if not confronted firmly, could come to threaten us all.

Beyond history and beyond the threats to continental security instability, I am even more concerned about America's place in the world and how inaction will further harm it. Abroad, we are increasingly seen as a spent force, exhausted by interminable wars, politically divided and inert, financially strained, and floundering without firm, articulate, determined leadership. This is a bleak, incomplete picture of my country that more than anything else makes me determined to be part of an effort to correct this perception of America.

In many ways, we can potentially look at the Ukrainian crisis as an opportunity. We have a chance now to summon our collective will and impose costs for Putin's irresponsible behavior. We have many robust capabilities to reward those who join us in responsible, mutually productive cooperation in managing world affairs and in punishing those who do not.