

today. To show you how senseless it was, I will read the headline: "The GOP uses its advice and consent power to beat HARRY REID."

Think about that, a major newspaper in this country has the audacity to say: "The GOP [Republicans] uses its advice and consent power to beat HARRY REID."

Reading the editorial, what they are talking about is that the Republicans were very smart in delaying Loretta Lynch to be confirmed. The reason she was delayed is because a very vital issue came up with the trafficking bill. It dealt with women's reproductive rights, and it took a long time to work that out. In fact, it took a long enough time to work it out until the Republicans capitulated to what we wanted.

We protected the women's right to choose. The Hyde language no longer allows, as was in the underlying legislation, the Hyde language to apply to nontaxpayer money. So for them to say they beat HARRY REID, they didn't beat HARRY REID. What they did was beat up on themselves.

To think that they beat HARRY REID, I repeat, all they did was beat up on themselves.

Later today, the Senate will do something it should have done months ago, confirm Loretta Lynch as the 83rd Attorney General of the United States.

She is as qualified a candidate as I have ever seen in this Senate, which is more than three decades—so qualified, in fact, today will mark the third time she has been confirmed by the Senate.

Twice before, Loretta Lynch was unanimously confirmed as the U.S. attorney for the Eastern District of New York. By all accounts, Loretta Lynch's confirmation this time around should have sailed through the Senate. For a while, it seemed it would. We had Senators, Republican Senators, saying what a wonderful woman she is. She is great. They were very vocal in their support. The senior Senator from Utah, the senior Senator from South Carolina, the junior Senator from Arizona—but it soon became apparent the Republican leadership pressed these people a little bit, and suddenly they weren't as interested in moving the Lynch confirmation along, even though that is what they said they should do. Her nomination has dragged on for months.

In fact, I repeat, she has waited longer to be confirmed than the first 54 Attorneys General combined, longer than Attorneys General nominated by every President from George Washington to Woodrow Wilson.

What should have been a quick confirmation would be anything but that. Instead, Ms. Lynch became the first Attorney General nominee in history to be filibustered.

The editorial from the newspaper is very insulting. They said: "Mr. REID accused Republicans of racism and sexism."

I dare—I dare anyone to find a single word that I said dealing with race or

sex. I didn't do that, but maybe that is something the Republicans hoped I would do, but I didn't do that.

There was even a hunger strike. Now, listen to this, the depth of this editorial from the Wall Street Journal:

Al Sharpton's activist group vowed a hunger strike until Ms. Lynch received a vote. (Al, please go through with it.)

I guess I was naive in thinking my Republican colleagues would treat Loretta Lynch with the dignity she and her office deserved. Perhaps my mistake was forgetting that for Republicans, this isn't about Loretta Lynch, it is about President Obama because Republicans will do everything, anything they can to make President Obama's life more difficult. They said they would do that when he was elected, and they have stuck with it.

President Obama's Cabinet officials have been treated worse than any President in history. Today's vote on Loretta Lynch marks the seventh cloture vote the Republicans have forced on a Cabinet official during the Obama administration.

Forcing cloture, that is terminating the filibuster, was something that was rare in the entire history of this country. It used to be Cabinet officials were filibustered only in the most extreme circumstances, but once Ms. Lynch is confirmed, five sitting members of the President's Cabinet will have been filibustered by Senate Republicans.

To put that in contrast, it rarely happened before, rarely. Unlike today's Senate Republicans, Democrats showed restraint in our disagreements with the President's appointments. We showed great deference to his choices for the President, and by that I am talking about the last President, George W. Bush.

Some may say that is water under the bridge. There will be those Republicans who, after confirming Loretta Lynch today, will say all's well that ends well. They are wrong.

While I am pleased she will be confirmed as Attorney General, her nomination process is proof of all that is wrong with Republican Senate leadership. Senate Republicans made Loretta Lynch's nomination linger more than 10 times longer than the average Attorney General—and you have heard what I said before about that—just to spite Barack Obama.

The viciousness with which the majority leader's party has treated the President is unconscionable and is bad for our country. Republicans have become so blinded by their nastiness that they have even made filibusters of Cabinet officials the norm around here. The first time we had a Defense Secretary filibustered, they did it. The first time for an Attorney General, they did it.

How sad that in the future we can expect delayed and filibustered nominations such as Loretta Lynch to no longer be the exception but the rule. This is so unfortunate that this is how Republicans portend to govern.

Mr. President, what is the order of the day?

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### EXECUTIVE SESSION

#### NOMINATION OF LORETTA E. LYNCH TO BE ATTORNEY GENERAL

The PRESIDING OFFICER. The Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Loretta E. Lynch, of New York, to be Attorney General.

The PRESIDING OFFICER. Under the previous order, there will be 2 hours of debate equally divided in the usual form.

Mr. REID. 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. REID. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, I didn't realize the time in the quorum call would be equally divided, so I ask unanimous consent that the time be equally charged to both sides.

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

Mr. REID. 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. SESSIONS. 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. SESSIONS. Mr. President, we will be voting soon on confirmation of Ms. Lynch to be the Attorney General of the United States of America. That office is a part of the President's Cabinet, but it also is the office of the chief law officer for America. The Attorney General is the top official in our government who is required to adhere to the law, even to the point of telling the President 'no' if he gets it in his head, as Presidents sometimes do, to do something that violates the law—just as corporate lawyers sometimes do for the CEO of corporations. 'Mr. President, you can't do this. This is wrong. Don't do this.'

Some Attorneys General have been known to resign before they would carry out policies that violate the law.

We are deeply concerned in this country about the President's Executive amnesty—the unlawfulness of it, the breadth of it, and the arrogance of it to the point that it is a direct assault on congressional power and legitimacy, a direct attack on laws passed by the People's representatives; we have a big problem. Ms. Lynch has said flat-out that she supports those policies and is committed to defending them in court against any complaint about them.

I think Congress has a real role here. We do not have to confirm someone to the highest law enforcement position in America if that person is publicly committed to denigrating Congress, violating the laws of Congress, or violating even the wishes of Congress and the American people. We do not have to confirm anybody. It is a power Congress is given. The President is asserting powers he has never been given anywhere in the Constitution or by the American people, but if we don't confirm Ms. Lynch, we will be doing what we have a right to do, and what I think we should do.

I am pleased that Mr. Andrew McCarthy, who prosecuted some of the top terrorist cases in America as a former U.S. attorney or as an assistant U.S. attorney, is very critical and is very strongly of the belief that Ms. Lynch should not be confirmed. He says this:

A vote against Ms. Lynch's confirmation is not an assessment that she has performed incompetently or unethically in her prior government positions. It is a vote against the President's blatantly unconstitutional policy and against Ms. Lynch's support of that policy. Senators are bound by oath to uphold the Constitution; Ms. Lynch's prior, laudable record as a federal prosecutor cannot overcome her commitment to violating the Constitution.

We have a right to assert that. We are paid to make decisions about that. I think that Mr. McCarthy is correct. Congress was given certain powers as a coequal branch of government, not only to protect the Congress as an institution but to restrain other government branches from overreaching. One of those powers is the Senate's power to confirm or not confirm, and this check on Executive powers can be used as Congress sees fit. But it should not be abused, just as the President should not use his nominees to abuse the Constitution or to advance an unlawful agenda. The Attorney General is the top law enforcement officer in the country. This is not traditionally a political position. It is a law position. Anyone who occupies the office must serve the American people under the laws and the Constitution of the United States. They are not above the law.

The Supreme Court has clearly held that the President is subjected to the laws. It has always been the case and always has been a part of the law of the land. The Senate must never confirm an individual to an office such as this who will support and advance a scheme that violates our Constitution and eviscerates established law and Con-

gressional authority. No person who would do that should be confirmed. We do not need to be apologetic about it.

Ms. Lynch has announced that she supports and, if confirmed, would advance the President's unlawful Executive amnesty scheme—a scheme that would provide work permits, trillions in Social Security and Medicare benefits, tax credits of up to \$35,000 a year—according to the Congressional Research Service—and even the possibility of chain migration and citizenship to those who have entered our country illegally or overstayed their lawful period of admission. The President has done this even though Congress has repeatedly rejected legislation he supports that would allow this scheme to be implemented. He asked for it, Congress considered it, and Congress said 'no.'

President Obama's unlawful and unconstitutional Executive action nullifies current immigration law to a degree most people have not fully grasped. The Immigration and Nationality Act is the law of the land, and his actions replace it with the very measures Congress refused to adopt. Even King George III didn't have the power to legislate without Parliament.

During her confirmation hearing in the Judiciary Committee, I asked Ms. Lynch plainly whether she supported the President's unilateral decision to make his own immigration laws.

Here is the relevant portion of the transcript:

Mr. SESSIONS: I have to have a clear answer to this question—Ms. Lynch, do you believe the executive action announced by President Obama on November 20 is legal and Constitutional? Yes or no?

Ms. Lynch: As I've read the opinion,—

That is, the opinion of the Department of Justice, which would be under her supervision—

I do believe it is, Senator.

Of course, the lawful duty of the Attorney General is to enforce the law that exists, not one that she or the President wish existed. One of the most stunning elements of the President's scheme is the grant of work permits to up to 5 million illegal immigrants—taking jobs directly from citizens and legal immigrants in our country at a time of high unemployment and low wages.

Peter Kirsanow, Commissioner on the U.S. Commission on Civil Rights, has written at length about how this undermines the rights of U.S. workers, especially African-American workers, and other minorities suffering from high unemployment. He says: Those citizens who are suffering from high unemployment and low wages have their rights undermined when the President ignores plain law that protects them from an excessive surge of illegal workers.

So at her confirmation hearing, I asked Ms. Lynch about what she might do to protect the rights of U.S. workers. By the way, Attorney General Holder, our current Attorney General,

astoundingly, in comments he made some months ago, declared that there is a civil right to citizenship in America for people who enter the country unlawfully. How can this possibly be, that the Attorney General can get so removed from his responsibility to enforce the law that he says that if someone comes into the country unlawfully, they have a civil right to citizenship?

That was part of the reason I asked her this question:

Mr. SESSIONS: Who has more right to a job in this country? A lawful immigrant who's here or a citizen—or a person who entered the country unlawfully?

Ms. Lynch: I believe that the right and the obligation to work is one that's shared by everyone in this country regardless of how they came here. And certainly, if someone is here, regardless of status, I would prefer that they would be participating in the workplace than not participating in the workplace.

So this individual would be the chief law enforcement of our country, and I believe that is a fundamentally flawed statement and comment. It is unprecedented for someone who is seeking the highest law enforcement office in America to declare that someone in the country illegally has a right to a job when the law says if you are here illegally, you cannot work.

This Nation is—as George Washington University law Professor Jonathan Turley, who has testified a number of times here, often called by a number of our Democratic colleagues, put it—at “a constitutional tipping point.” Professor Turley, who is a nationally recognized constitutional scholar and self-described supporter of President Obama, testified before the House of Representatives in February 2014, nine months before the President announced his unprecedented executive action, and said:

The current passivity of Congress represents a crisis of faith for members willing to see a president assume legislative powers in exchange for insular policy gains. The short-term, insular victories achieved by this President will come at a prohibitive cost if the current imbalance is not corrected. Constitutional authority is easy to lose in the transient shift of politics. It is far more difficult to regain. If a passion for the Constitution does not motivate members, perhaps a sense of self-preservation will be enough to unify members. President Obama will not be our last president. However, these acquired powers will be passed to his successors. When that occurs, members may loathe the day that they remained silent as the power of government shifted so radically to the Chief Executive. The powerful personality that engendered this loyalty will be gone, but the powers will remain. We are now at the constitutional tipping point of our system. If balance is to be reestablished, it must begin before this President leaves office and that will likely require every possible means to reassert legislative authority.

One of those means is the advice and consent power to approve or disapprove nominees for high office. It was created for just such a time as this. It is a legitimate constitutional power of Congress. It is not only appropriate but necessary that the Senate refuse to confirm a President's nominee when

that President has overreached and assumed the legislative powers of Congress. It is particularly necessary when the President's nominee is being appointed specifically for the improper purpose of advancing the President's unconstitutional overreach—all through powers of the office to which they have been nominated.

Mr. President, we have a number of problems with regard to executive branch overreach and executive branch failure to be responsive to Congress. When Members of Congress ask legitimate questions, we often don't get answers from the people who are paid by the taxpayers and who are authorized by us. I believe that is another matter we need to consider before we confirm people. The Department of Justice has been recalcitrant too often in producing information it should produce.

I wish to go a little bit further because some of this goes to the core of the issues before us. Is this just a policy dispute between Congress and the President? No, it goes much deeper than that. The actions of the President are stunning—beginning with his so-called Morton memos. He had an underling carry out orders to achieve what he wanted done, which is often how he has proceeded with these unlawful activities. I will point out some of them.

Beginning with the Morton memos in 2011—under the guise of prosecutorial discretion based on limited resources—the Administration began to flaunt clearly written provisions of the Immigration and Nationality Act, such as section 235, which requires the Secretary of Homeland Security to place illegal aliens into removal proceedings to be deported once they are found. Section 235 requires DHS to do that, they do not have any discretion there.

In direct contradiction of clearly written law, the Morton memos generally directed U.S. Immigration and Customs Enforcement personnel to refuse to initiate removal proceedings against certain aliens, and to administratively close or terminate such proceedings if they had been initiated. Thus began the opening salvo in the Administration's assault on our immigration laws. This is huge. Officers respond to the President's leadership.

The following year, June 2012, the Administration created, through Executive fiat, a program that Congress consistently refused to enact into law—the Deferred Action for Childhood Arrivals or DACA. This program not only shielded certain illegal aliens from the threat of removal, but it also provided them with work authorization, the ability to travel outside of the United States without fear of being refused reentry through grants of advanced parole. It gave them a Social Security number and a photo ID.

By the way, colleagues, this resulted in the Immigration and Customs Enforcement officers being so concerned at this radical reversal of the laws of the United States that they filed a law-

suit against their supervisors asserting that they were being required to violate the law of the United States rather than being allowed to carry out their sworn duty, which was to enforce the laws of the United States.

The judge was sympathetic to the matter, but for technical and legal reasons, concluded that the case would not go forward, but I believe it is still on appeal now.

This is remarkable. There are law officers—many of them have been in law enforcement for 10, 20, 30 years—who sued their supervisors because they were being ordered to violate the law instead of enforce the law. We ought to listen to them. They have repeatedly told us that what is happening is outrageous and they pleaded with Congress to stop it.

But then in November of last year, after Congress refused to pass the Administration's preferred legislation providing amnesty to illegal aliens, the Administration created, through Executive fiat, a number of other programs that further eroded enforcement of our immigration laws. Notably, the two most visible programs are the Deferred Action for Parents of Americans and Lawful Permanent Residents, the so-called DAPA Program, and an expanded version of DACA, both of which were blessed by the Department of Justice, the Office of Legal Counsel, and the Attorney General—wrong, unlawful actions blessed by the chief law enforcement officer in the country.

Less visible are policies that prevent the enforcement of immigration laws against certain criminal aliens, such as the November 20, 2014 memorandum from Jeh Johnson, the Secretary of the Department of Homeland Security, entitled "Policies for the Apprehension, Detention, and Removal of Undocumented Immigrants." That memo excludes from enforcement priority categories whole categories of criminal offenses defined in sections 2(a)(2) and 237(a)(2) of the INA.

We have observed a decimation of law enforcement in this country involving immigration as a direct result of the President's determination to create an immigration system that he believes is right, but the People, through their elected Congress, have refused to make law. This is a direct threat to who we are.

Professor Turley is so insightful about this issue. This is not some rightwing extremist. In testimony before the House committee, he said:

I believe the President has exceeded his brief. The President is required to faithfully execute the laws.

He goes on to say:

This goes to the very heart of what is the Madisonian system. If a president can unilaterally change the meaning of laws in substantial ways or refuse to enforce them, it takes offline that very thing that stabilizes our system. I believe the members will loathe the day that they allow that to happen. There will be more presidents who will claim the same authority.

When I teach constitutional law, I often ask my students, what is the limiting prin-

ciple of your argument? When that question is presented to this White House, too often it's answered in the first person, that the President is the limiting principle or at least the limiting person. We can't rely on that type of assurance in our system.

Madison knew no one can be given total power without limits.

Professor Turley goes on to say:

The problem of what the President is doing is that he is not simply posing a danger to the constitutional system; he is becoming the very danger the Constitution was designed to avoid: that is, the concentration of power in any single branch. This Newtonian orbit that the three branches exist in is a delicate one, but it is designed to prevent this type of concentration.

When asked explicitly if he believed the President violated the Constitution, he said, as I quoted before, "The center of gravity is shifting, and that makes it unstable. And within that system you have the rise of an uber presidency. There could be no greater danger for individual liberty, and I really think that the framers would be horrified by that shift because everything they've dedicated themselves to was creating this orbital balance, and we've lost it. . . ."

He goes on to say to Congress as a challenge to us:

I believe that [Congress] is facing a critical crossroads in terms of continued relevance in this process. What this body cannot become is a debating society where it can issue rules and laws that are either complied with or not complied with by the president. I think that's where we are . . . [A] president cannot ignore an express statement on policy grounds . . . [In] terms of the institutional issue . . . look around you. Is this truly the body that existed when it was formed?

So he was sitting there in the House of Representatives and he was talking to Members of Congress and said:

. . . look around you. Is this truly the body that existed when it was formed? Does it have the same gravitational pull and authority that was given to it by its framers? You're the keepers of this authority. You took an oath to uphold it. And the framers assumed that you would have the institutional wherewithal and, frankly, ambition to defend the turf that is the legislative branch.

I think we need to—without apology—defend the law, and I think this is in the Congress' interest. Congress should not confirm someone to lead the U.S. Department of Justice who will advance this unconstitutional policy. Congress has a limited number of powers to defend the rule of law and itself as an institution and to stop the executive branch from overreaching. It is unthinkable that we would ignore one of those powers in the face of such a direct threat to our constitutional order—an escalating pattern of overreach by the President.

Every day that we allow the President to erode the powers of the Congress, we are allowing the President to erode the sacred constitutional rights of the citizens we serve. We have a duty to this institution and to the American people not to confirm someone who is not committed to those principles but rather who will continue to violate them.

I will oppose this nomination and urge my colleagues to do so. I think we should see a bipartisan vote rejecting this nomination, and in doing so, Congress will send a clear message that we expect the President to abide by the law passed by Congress, not to violate it.

Mr. President, I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. For almost 2 months, I have been returning to the Senate floor to urge the majority leader to schedule the confirmation vote for our next Attorney General. Yesterday afternoon, we were finally able to get an agreement that was long overdue. But even now, this morning, we are not voting to confirm Loretta Lynch to be the next Attorney General of the United States; we are going to vote on whether to invoke cloture in regard to this top law enforcement position.

For those not familiar with the rules of the Senate, cloture is a rule that allows the Senate to end a filibuster.

The fact that Senate Republicans are requiring a cloture vote on her nomination acknowledges what we have known all along: Republicans have been engaged in an unprecedented filibuster of this nomination.

When we do vote to confirm Loretta Lynch this afternoon, she will be the first African-American woman to serve as Attorney General. She is a historic nominee, but it is Senate Republicans who are making history—and I would say for the wrong reasons. We have had 82 Attorneys General in our Nation's history. Until now, not one of those 82 has had to overcome a cloture vote. But this one, Loretta Lynch, as I said, the first African-American woman to serve as Attorney General, became the first and only to have to overcome a cloture vote.

I would have opposed any filibuster on any President. I have been here with President Ford, President Carter, President Reagan, President Bush, President Clinton, another President Bush, and President Obama. Neither Republicans nor Democrats have seen this.

President Obama first announced Ms. Lynch's nomination more than 5 months ago. At the time, Senate Democrats acceded to the request of Senate Republicans not to move her nomination during the lame duck period. Republicans promised that she would be treated fairly.

In fact, last fall, the now-majority leader promised that "Ms. Lynch will receive fair consideration by the Senate. And her nomination should be considered in the new Congress through regular order." But she hasn't been treated fairly. There hasn't been regular order.

The nomination of Ms. Lynch has been pending in the Senate awaiting confirmation for 56 days. I went back over the last seven Attorneys General. I added up the number of days they

waited for confirmation on the floor. She has waited longer than all seven of them put together twice over, so twice as long as the seven preceding Republican and Democratic Attorneys General combined: Richard Thornburgh, 1 day; William Barr, 5 days; Janet Reno, 1 day; John Ashcroft, 2 days, Alberto Gonzales, 8 days; Michael Mukasey, 2 days; and Eric Holder, 5 days. I have said it repeatedly, but it bears repeating again: this historic delay is an embarrassment for the United States Senate.

As the U.S. attorney for the Eastern District of New York, Ms. Lynch brought terrorists and cyber criminals to justice. She obtained convictions against corrupt public officials from both political parties. She fought tirelessly against violent crime and financial fraud. Ms. Lynch has protected the rights of victims. She has a proven record prosecuting human traffickers and protecting children.

I am glad that yesterday the Senate was finally able to overcome an impasse on trafficking legislation which, unfortunately, those on the other side of the aisle caused by injecting partisan politics into the debate. That Republican leaders tied a vote on the confirmation of Ms. Lynch to human trafficking legislation never made sense at all, especially given her strong record of prosecuting human traffickers.

In a recent article, the Guardian rightly pointed out that the Republican leadership's use of her nomination as a negotiating chip was "painfully wrongheaded—tantamount to holding the sheriff back until crime goes away." I could not agree more. I ask unanimous consent that the Guardian article be printed in the RECORD at the conclusion of my remarks.

We all know that Loretta Lynch is eminently qualified to be our next Attorney General. She should not have been delayed for so many months by the Senate majority. And we should not be forced to vote to cut off debate on this nomination, especially when no other Attorney General nominee has ever needed such a vote. This is the complete opposite of the fair treatment that Senate Republicans promised last November. After this extended delay on the Lynch nomination, I can only hope Senate Republicans will show her more respect as Attorney General of the United States than she has received as a nominee. She deserves our respect and gratitude for being willing to continue to serve our Nation. She has earned this respect.

Ms. Lynch's story is one of perseverance, grace, and grit and I believe this process will only make her stronger. She was born and raised in North Carolina. She is the daughter of a fourth-generation Baptist preacher and a school librarian. Her proud mother and father instilled in her the American values of fairness and equality, even though as a child those around them were not living up to these values.

I must say that meeting Reverend Lynch at these hearings and then meeting him at the time of the markup—I was so impressed with the strength that man showed and his sense of faith in goodness. This is a pastor and a preacher we can all look up to. In fact, Ms. Lynch recalls riding on Reverend Lynch's shoulders to their church, where students organized peaceful protests against racial segregation. The freedom songs and the church music that went hand in hand with those protests undoubtedly made up the sound track of her childhood. As Attorney General, I am sure she will draw upon those childhood experiences and the struggles of her parents, her grandparents, and her great-grandparents when addressing the current protests over too many young lives lost on our streets.

As I said, the Judiciary Committee was honored to have her father, the Reverend Lorenzo Lynch, with us on both days of her hearing in January, as well as at the committee markup when her nomination was favorably reported with bipartisan support. He is here to watch these proceedings today. It is clear this undoubtedly proud father instilled in his daughter the great resilience she has shown over the past 6 months.

As a Senator, as have other Senators, I have gotten to meet wonderful people from all walks of life, up to and including Presidents, but I have said many times before and I will say again that meeting Reverend Lynch was really a very special moment in this Senator's life.

Throughout Loretta Lynch's life, those who encountered her intelligence and her tenacity have not all been prepared to accept her and her impressive accomplishments. But at every point, the content of her character has shone through and led her to even greater heights.

In elementary school, administrators did not believe that Loretta Lynch could score as high as she did on a standardized test. They demanded that she retake the test. How could this young African-American girl score so high? She took the test again and her second score was even higher.

In high school, she rose to the very top of her class but had to share the title of valedictorian with two other students, one of whom was White, because school administrators feared an African-American valedictorian was too controversial. But that didn't hold her back, either. She kept going forward. She went on to graduate with honors from Harvard College, and then she went on and earned her law degree from Harvard Law School.

This has been the story of Loretta Lynch's life. While some are not ready to embrace her distinction, she marches forward with grace to prove she is even stronger and more qualified than her detractors can imagine. She has dedicated the majority of her remarkable career to public service, and

we are fortunate as a nation that she wants to continue to serve.

Ms. Lynch's record of accomplishments makes me confident she will be able to lead the Justice Department through the complex challenges it faces today.

One issue the outgoing Attorney General prioritized was the protection of Americans' right to vote. After the Supreme Court's disastrous ruling in *Shelby County v. Holder*, Republican governors and State legislatures exploited the decision and implemented sweeping voter suppression laws that disproportionately affect African Americans and other minorities. Ms. Lynch will have to continue the commitment to fighting voting rights for all Americans.

At a time of severe budget cuts for too many vital programs that help victims and support public safety, something must be done about the massive financial burden that is the Bureau of Prisons. One-third of DOJ's budget goes to BOP. This imbalance has largely been driven by our reliance on drug mandatory minimum sentences, which do not make us safer but are costing us plenty. These sentences explain why the United States has the largest prison population in the world. We must work together on more thoughtful solutions to address our mass incarceration problem.

Few issues affect communities and families as intimately as addiction. Vermont, like many parts of the country, has seen a recent surge in the abuse of heroin and other opioids. The Department must work with States to find solutions to support communities struggling with heroin and other opioids, and help them break the cycle of addiction.

The Attorney General will also be called upon to build on the sometimes strained relationship between law enforcement and communities of color, which has been exacerbated by the recent tragic events in Ferguson, New York, and South Carolina. Restoring that trust will be as great a responsibility as she will have while in office.

Nor are these issues of trust limited to local law enforcement. Just the other day, a Washington Post article detailed the fact that the Justice Department and the FBI acknowledged numerous instances of flawed testimony by FBI examiners over a two-decade period in connection with hair analysis evidence. This included dozens of cases involving defendants who were sentenced to death row. This troubling revelation means that the FBI must conduct a comprehensive analysis to prevent future breakdowns such as this.

The Justice Department must also keep up with the rapid development of technology. We must stay ahead of the curve to prevent and fight threats to cybersecurity and data privacy. The growing threat of cyber crime is very real but so is the specter of unchecked government intrusion into our private

lives—particularly dragnet surveillance programs directed at American citizens. The intelligence community faces a critical deadline this June when three sections of the Foreign Intelligence Surveillance Act are set to expire. We must protect our national security and our civil liberties. We must work together to reform our Nation's surveillance laws so we can achieve both goals and restore the public's trust.

When President Obama announced his intention to nominate Ms. Lynch last November, I had the privilege of attending the White House ceremony. At that event, Ms. Lynch noted with admiration that "the Department of Justice is the only cabinet department named for an ideal." Just think of that. The Department of Justice is named for an ideal—the ideal of justice. And having served as a State prosecutor, although not with the complexity she has encountered, I always felt that was an ideal to uphold, and she has. I believe that when Loretta Lynch is sworn in as our next Attorney General, she will work tirelessly to make that ideal a reality for all Americans.

As I said, I am sorry that for the first time, after 82 Attorneys General, we have to have a cloture vote. I have great respect for my friends in the Republican leadership, but I must say they sent an awful signal to America in saying that for the first time in 82 Attorneys General, we require a cloture vote for this highly qualified woman.

I yield the floor.

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

[From the Guardian, Apr. 21, 2015]

LORETTA LYNCH 'LED THE NATION' ON HUMAN TRAFFICKING DESPITE REPUBLICAN STANDOFF  
(By Tom McCarthy)

Republican leaders say they'll hold up Lynch's confirmation until trafficking bill passes—and yet Lynch has been one of America's boldest pursuers of sex traffickers, Guardian review reveals.

After almost six months, the Republican blockade on the confirmation of Loretta Lynch as the next US attorney general—once a grand fight over immigration, then banking prosecutions, then abortion—appears headed for a final legislative showdown over protecting victims of sex trafficking.

But the biggest Congressional headache of the year—a single cabinet nomination effectively hijacking the legislative calendar—has culminated in "a very sad irony": Lynch has been one of the country's premier guardians of victims of sex trafficking, and a tireless scourge of sex traffickers, a review of her record and conversations with current and former colleagues reveal.

Lynch—according to prosecutors, officials and victims' advocates familiar with her tenure as US attorney for the eastern district of New York—has a prodigious history of throwing sex traffickers in prison, breaking up prostitution rings, rescuing underage victims forced to work as prostitutes and reuniting mothers held captive by the rings with their long-lost children.

Heading into what could be the final day of protracted negotiations over her job as the nation's highest law enforcement officer,

Lynch's supporters spoke at length with the Guardian about what they say is one of the most powerful legacies of her tenure.

Republicans have not challenged Lynch's record as a prosecutor of sex trafficking—or any other part of her record. But Senate majority leader Mitch McConnell has clung to an announcement that he would hold up her nomination until the Senate completed work on the Justice for Victims of Trafficking Act, which would create a compensation fund for victims. Republican and Democratic senators are squabbling over abortion language in the bill.

"I had hoped to turn to her next week, but if we can't finish the trafficking bill, she will be put off again," McConnell said. More than a month later, that hold is still in place, although Republicans aides on Friday signaled potential new movement on the nomination, after President Obama called the delay "embarrassing".

To those with close knowledge of Lynch's record on human trafficking, the hold-up has not been embarrassing, so much as painfully wrong-headed—tantamount to holding the sheriff back until crime goes away.

Carol Robles-Roman, who in 12 years as deputy mayor of New York City worked closely with Lynch's office to stop young girls from falling victim to sex traffickers, said Lynch had made "protecting the most vulnerable members of our society a hallmark of her tenure".

"The irony that it's a trafficking bill that's holding everything up is just . . . it's a very sad irony," said Robles-Roman, who now runs the nonprofit Legal Momentum. "The fact of the matter is, with this record, she has been one of the top leaders in the country around the fight against human trafficking.

"This is such a difficult area for prosecutors to wrap their hands around. And her office, the eastern district, has really distinguished itself in the cases that they have brought, and the fearlessness that they have shown in prosecuting these cases."

#### 'HEINOUS' CASES WITH REAL RESOLUTIONS

Lori Cohen, director of the anti-trafficking initiative at New York-based Sanctuary for Families, has worked closely with Lynch's office, including to reunite victims of sex trafficking with their children, who in multiple cases have been held in Mexico by members of the trafficking organization.

"The eastern district prosecutors have been exceptional in terms of their willingness to listen to the clients," Cohen said. "And I think that, frankly, that came from the top, that came from the attorney general nominee. I think she has always had a very high degree of professionalism, but also a very strong sense of compassion for victims. And a strong sense of justice, that people who are exploiting these vulnerable immigrant women and children in the commercial sex industry need to be held accountable."

In the typical sex trafficking case prosecuted under Lynch, a community services organization might tip off law enforcement to the presence of a prostitution ring based in Brooklyn or Queens, New York. Investigators would discover many girls and young women living under the control of men who forced them to work in brothels or who drove them around the city, sometimes to as many as 20 assignments a day.

Anne Milgram, a former prosecutor on human trafficking cases in the eastern district, who went on to serve as attorney general of New Jersey and is now a senior fellow at the New York University school of law, said one after another of the trafficking cases were prosecuted because Lynch made them a "personal priority".

"Under her leadership, the eastern district has really led the nation in this area,"

Milgram said. "I really couldn't say enough good things about both the office and Loretta Lynch's record on human trafficking. If you look nationally to find a US attorney who was as thoughtful and progressive in prosecuting human trafficking cases, I don't think you could find one."

Lynch's office has specialized in breaking up rings that share a remarkable similarity. Members of family-based crime syndicates in Mexico, in a repeated pattern, would seek out young girls in poor, rural areas and make them promises of love and a better life in the United States. Sometimes a marriage would follow. And then the girls would be introduced to a new life, in which they were coerced to work as prostitutes. Obedience was enforced with rape, beatings, imprisonment, and, in some cases, by threatening the lives of children born of the corrupt "love" affairs.

"Any trafficking victim is going to be suffering in a tremendous physical and emotional harm, and pretty extensive sexual abuse," Cohen said. "But these particular Mexican trafficking cases are so difficult for our victims because usually the trafficker is an intimate partner. So it could be a man who held himself out to be a boyfriend, or a fiancé, and in at least one case it's been a husband. Who courted a client, who won her trust, and her love, and in a number of cases had children with her."

"You just pull the facts of one of these cases, and they're heinous," Robles-Román said. "They almost don't sound real."

#### THE MOST ACTIVE RECORD IN THE COUNTRY

Lynch's office has specialized in breaking up these rings. The eastern district of New York has delivered more than 55 indictments in human trafficking cases and rescued more than 110 victims, including at least 20 minors, in the past 10 years.

Under Lynch, the eastern district is currently prosecuting at least five cases relating to the prostitution of US minors or sex trafficking—more active prosecutions than any other US attorney's office in the country, according to knowledgeable observers.

In 2012, Lynch's office reunited a child and mother who had been separated for more than 10 years when the woman was taken from Mexico to New York and forced to work as a prostitute. It was one of 18 such mother-and-child reunions completed by the eastern district.

Cohen worked with a client who was reunited with her child after a conviction by Lynch's office.

"It was really very moving," Cohen said. "My client had been separated from her child for a number of years and was really frantic about her child's safety. Frankly it's terrifying for a victim to come forward and report the abuse, when she is afraid that if word of her cooperation gets back to her traffickers, there's very little protection available for her child back in Mexico."

"These clients, when they have children, they are mothers first. And they'll do anything to protect their children. In fact some of them continue to be trafficked because they were afraid that if they stopped or refused, that their children would be harmed."

In December 2012, Lynch announced the extradition and arraignment of four suspects from Mexico in two separate sex trafficking cases. In 2013, Lynch sent a New York bar owner and two co-defendants to prison for dozens of years each for running a sex-trafficking ring between Central America, Mexico and two bars on Long Island. In 2014, three brothers convicted of sex trafficking were sentenced to double-digit prison terms for enticing victims as young as 14 to be transported illegally into the United States and forced to work as prostitutes in New York City and elsewhere.

"It's horrible to think that children in the United States are being exploited sexually," said Robles-Román. "They are. [But Lynch's] office has shown that they have the courage, the know-how, and the expertise to prosecute these people—some of them involving international criminal enterprises."

"From my perspective, somebody who has that vision, and that eye, to protect our most vulnerable, can protect us all. It is a fearlessness that we need in our attorney general."

As of Monday, after what minority leader Harry Reid called "164 very long days", there was still no Senate deal over the abortion language in the trafficking legislation, although signs emerged that a deal may be close.

If Republicans stick to their promise, it will then be Lynch's turn. And if she is confirmed, to hear Lynch's former colleagues tell it, the Senate will have made a difference on behalf of society's most vulnerable.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from Texas.

Mr. CRUZ. Mr. President, today I rise to talk about what has come to define the Obama administration, which is a consistent pattern of lawlessness that disrespects the Constitution, that disrespects the Congress, and that disrespects the people of the United States.

In any administration, under any President, the person charged with being the chief law enforcement officer is the Attorney General. I have been blessed to work in the U.S. Department of Justice, and there is a long, bipartisan tradition of Attorneys General remaining faithful to the law and to the Constitution and setting aside partisan considerations and politics. Unfortunately, that tradition has not been honored during the Obama Presidency.

Attorney General Eric Holder has been the most partisan Attorney General the United States has ever seen. The Attorney General has systematically refused to do anything to seriously investigate or prosecute the IRS for targeting citizens for expressing their First Amendment rights. Indeed, he has assigned the investigation to a major Democratic donor and partisan Democrat who has given over \$6,000 to President Obama and the Democrats. Eric Holder has abused the office and has turned it, in many respects, into a partisan arm of the Democratic Party. He is the only Attorney General in the history of the United States to be held in contempt of Congress.

So there are many, including me, who would very much like to see Eric Holder replaced. There are many, including me, who would very much like to see an Attorney General who will return to the bipartisan traditions of the Department of Justice of fidelity to law, and that includes most importantly the willingness to stand up to the President who appointed you even if he or she is from the same political party as are you.

During the confirmation hearings, I very much wanted to support Loretta Lynch's nomination. Bringing in a new

Attorney General should be turning a positive page in this country. But, unfortunately, the answers Ms. Lynch gave in the confirmation hearing, in my opinion, rendered her unsuitable for confirmation as Attorney General of the United States. That was a shame.

Ms. Lynch's record as the U.S. attorney for the Eastern District of New York had earned her a reputation as a relatively no-nonsense prosecutor, so it was my hope that we would see a similar approach and similar answers from Ms. Lynch at the confirmation hearing. Instead, she chose to embrace the lawlessness of the Holder Justice Department.

When she was asked whether she would defend President Obama's illegal Executive amnesty, which President Obama has acknowledged no fewer than 22 times that he had no constitutional authority to undertake and which a Federal court has now enjoined as unlawful, she responded affirmatively, saying she thought the administration's contrived legal justification was "reasonable."

The nominee went on to say that she sees nothing wrong with the President's decision to unilaterally grant lawful status and work authorizations that are explicitly barred by Federal law to nearly 5 million people who are here in this country illegally.

When asked further who has "more a right to a job, a United States citizen or a person who came to this country illegally?" she responded, "I believe that the right and obligation to work is one that is shared by everyone in this country, regardless of how they came here." Well, a very large majority of American citizens would beg to differ. Rule of law matters.

When she was asked about the limits of prosecutorial discretion—the dubious theory President Obama has put forth to justify his illegal executive amnesty—she could give no limits to that theory.

When asked if a subsequent President could use prosecutorial discretion to order the Treasury Secretary not to enforce the tax laws and to collect no more income taxes in excess of 25 percent, she refused to answer.

When asked if a subsequent President could use that same theory to exempt the State of Texas—all 27 million people—from every single Federal labor law and environmental law, she refused to answer.

When asked if she agreed with the Holder Justice Department that the government could place a GPS sensor on the car of every single American without probable cause, she refused to answer. That extreme view was rejected by the U.S. Supreme Court unanimously.

When asked if she agreed with the Holder Justice Department that the First Amendment gives no religious liberty protection whatsoever to a church's or synagogue's choice of their own pastor or their own rabbi, she

again refused to answer. Likewise, that extreme view was rejected unanimously by the U.S. Supreme Court. Indeed, Justice Elena Kagan—appointed by President Obama—said at the oral argument that the Holder Justice Department's position that the First Amendment says nothing about the religious liberty of a church or a synagogue—Justice Kagan said, "I find your position amazing." Well, I am sorry to say that Ms. Lynch was unwilling to answer whether she holds that same amazing position, that the First Amendment does not protect the religious liberty of people of faith in this country.

When asked in her hearing if she believes the Federal Government could employ a drone to kill a U.S. citizen on U.S. soil if that individual posed no imminent threat, she refused to answer.

When asked if she would be willing to appoint a special prosecutor to investigate the IRS's targeting of citizens and citizen groups for their political views—something which President Obama said he was "angry about and the American people had a right to be angry about"—and when asked if she would appoint a prosecutor who was at a minimum not a major Obama donor, she refused to answer.

This nominee has given every indication that she will continue the Holder Justice Department's lawlessness. That was her testimony to the Senate Judiciary Committee.

I wanted to support this nomination. I wanted to see a new Attorney General who would be faithful to law. But her answers made that impossible.

I would note that there is a difference. Eric Holder began disregarding the Constitution and laws after he was confirmed as Attorney General. Ms. Lynch has told the Senate that is what she is going to do. That means each and every one of us bears responsibility. In my view, no Senator can vote for this confirmation consistent with her or her oath given the answers that were given.

I would note that a particular onus falls on the new Republican majority. For several months, I have called on the Republican majority to block the confirmation of President Obama's executive and judicial nominees other than vital national security positions unless and until the President rescinds his lawless amnesty. I am sorry to say the majority leadership has been unwilling to do so.

The Republican majority, if it so chose, could defeat this nomination, but the Republican majority has chosen to go forward and allow Loretta Lynch to be confirmed.

I would note that there are more than a few voters back home who are asking: What exactly is the difference between a Democratic and Republican majority when the exact same individual gets confirmed as Attorney General promising the exact same lawlessness? What is the difference? That is a question each of us will have to answer to our constituents when we go home.

In my view, the obligation of every Senator to defend the Constitution is front and center why we are here. We have a nominee who has told the Senate she is unwilling to impose any limits whatsoever on the authority of the President of the United States for the next 20 months. We are sadly going to see more and more lawlessness, more regulatory abuse, more abuse of power, more Executive lawlessness.

Now more than ever, we need an Attorney General with the integrity and faithfulness of law to stand up to the President. Attorneys General in both parties, Republican and Democratic, have done so. When credible allegations of wrongdoing by Richard Nixon were raised, his Attorney General, Elliot Richardson, appointed a special prosecutor, Archibald Cox, to investigate regardless of partisan politics. Likewise, when credible allegations by Bill Clinton arose, his Attorney General, Janet Reno—a Democrat—appointed Robert Fisk as the independent counsel to investigate those allegations. Eric Holder has been unwilling to demonstrate that same faithfulness to law, and unfortunately Ms. Lynch has told us that she, too, is unwilling to do so. For that reason, I urge all of my colleagues to vote no on cloture and to insist on an Attorney General who will uphold her oath to the Constitution and to the people of the United States of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I come before the Senate today to vote and to urge my colleagues to vote in favor of confirming Loretta Lynch as Attorney General.

I disagree with my colleague from Texas. I serve on the Judiciary Committee, as does the Senator from Texas. I listened to her questions. I asked her questions. I listened to her answers. In my view, she passed her senatorial interview. She has picked up support from several Republicans. She answered questions for 8 hours during her confirmation hearing and submitted detailed responses to 900 written questions.

What I would like to focus on today are the claims I just heard from the Senator from Texas that she is somehow lawless.

Let's look through the facts. She has earned the support of Members of both parties. Do the Republicans who support her for this position think she is lawless? I don't think so. She has earned the support of top law enforcement groups and 25 former U.S. attorneys from both Republican and Democratic administrations.

Now let's start with the obvious. She is supremely qualified for Attorney General. She has a world-class legal mind, an unwavering commitment to justice, an unimpeachable character, and an extraordinary record of achievement.

During her time as U.S. attorney for the Eastern District of New York, she

tackled some of our Nation's hardest cases, from public corruption, to civil rights violations, to massive crime rings. She currently leads the U.S. attorney's office that has been charged with prosecuting more terrorism cases since 9/11 than any other office in the country, including trying the Al Qaeda operative who plotted to attack New York City's subway system. Would you hand this over to a lawless person? No. You would hand this over—this important job of going after terrorists—to someone who respects the law, who enforces the law, not, as my colleague from Texas said, to someone who is lawless.

This is a concern in my State. Just this week, our U.S. attorney, Andy Luger, indicted six people—six people—in the Twin Cities area who were plotting to go back to assist ISIS, to assist a terrorist group. So I care a lot about having an Attorney General in place who actually knows how to handle these terrorism cases, who is going to lead the Justice Department and understands the importance of going after these cases. Loretta Lynch is exactly the type of tough and tested leader we need at the Justice Department to lead the effort.

She has been endorsed by leaders ranging from the New York police commissioner—I don't know if my colleague from Texas considers him lawless—to the president of the Federal Law Enforcement Officers Association, to the president of the National Association of Chiefs of Police, Alberto Gonzales says it is time to vote on Ms. Lynch. Rudy Giuliani says it is time to confirm her. These are not people my colleagues on the other side of the aisle normally say are lawless.

This is the story of Loretta Lynch and why I think she has been able to wait out this long process. Loretta Lynch has a lot of patience. When she was a little girl, she took a test and did incredibly well on that test. She did so well that they didn't believe she took that test. They asked her to take that test again, and she scored even higher. When she was valedictorian of the class, the principal came up to her and said: You know, this is a little awkward. You are African American, and we might want another White student to share the honor. That is what happened to her. She said: All right. That is a woman who has been through something and can wait this out. She will wait no longer after today.

The other thing I heard from our friends on the other side of the aisle—from Senator CRUZ—was that somehow she is lawless because she supported something that every President since Dwight Eisenhower has supported, has asked their Attorney General to do. The Attorney General has looked at the legal issues surrounding the issuance of an Executive order regarding immigration. Every Attorney General since Eisenhower's administration has advised their President on these issues. The first George Bush, the second George Bush, Ronald Reagan—with

every single one of these Presidents, there was some kind of Executive order issued involving immigrants.

I know because we have Liberians in Minnesota who, because of unrest in their country, have been there for decades under an Executive order, something that sometimes Congress gets involved and sometimes the President reissues. But that is one example of a group of people who have been able to stay in our country legally, work in our hospitals, work in our industries, and raise their families in this country because of Executive orders.

So to say that it is sometimes lawless—how lawless for her to support this simple idea that a President can issue an Executive order. Of course, we can debate the merits of that. We can talk about the fact that of course we would rather have comprehensive immigration reform. That is why I voted it. Of course that would be better, so the President could just tear up his Executive action. He said he would be glad to do that.

But the point of this is that every Attorney General in the Republican administrations since Dwight Eisenhower has supported their President when they issued an Executive order. So this idea that by somehow saying that is legal makes this nominee lawless is just plain wrong.

We look forward to another robust debate on immigration policy. Comprehensive immigration reform should be debated and passed by Congress. But Ms. Lynch should be judged on her record and her record alone. When we look at her record, we should be proud to have her as our next Attorney General of the United States of America.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I would like to make a few remarks about Loretta Lynch. While she should have been confirmed as Attorney General months ago, I want to make the following points: Her qualifications are sterling. Her education, her experience as a U.S. attorney under two Presidents, as well as her accomplishments are unassailable.

I have never seen a nominee in my 22 years handle a confirmation hearing with such poise and answer questions with such command. During her hearing, I said Loretta Lynch was a combination of steel and velvet, and that, to me, sums her up perfectly.

I met with her prior to her hearing and was deeply impressed. I reviewed her stellar record and found her to be a firm yet fair prosecutor—as a matter of fact, probably the prosecutor in one of the toughest districts—the Eastern District of New York—that exists in America.

Having led this very large and important U.S. Attorney's Office under two Presidents, she is a proven leader and she also knows how to bring people together to get the job done. I think that is important.

Let me just talk about national security. The Eastern District of New York, where Ms. Lynch served as U.S. attorney, has led the Nation in terrorism convictions among all U.S. Attorney Offices since 2001. She has overseen these cases. The six individuals connected to Najibullah Zazi, who was part of an Al Qaeda plot and planned to set off bombs on the New York subway system; Rezwanul Nafis, who attempted to use a weapon of mass destruction against the New York Federal Reserve Bank; four individuals, including Russell Defreitas, who plotted to attack JFK Airport; an individual who tried to go to Yemen to join Al Qaeda in the Arabian Peninsula; and two individuals who allegedly were members of Al Qaeda and attacked U.S. military forces overseas.

In February, her office announced that three individuals had been charged with attempting and conspiring to provide material support to ISIL. Two were planning to fly to Syria to join ISIL. The third was arrested while boarding a flight to Turkey at JFK. Her office has also charged 11 individuals, alleging that they illegally worked to secure more than \$50 million in high-tech equipment for Russian military and intelligence agencies.

At her confirmation hearing, Lynch emphasized the importance of the government having the “full panoply of investigative tools and techniques to deal with the ever-evolving threat of terrorism.” In sum, I am confident she is going to be a very strong voice leading the Justice Department on issues of national security. I can only say I think, as those of us on the Intelligence Committee see—and the Presiding Officer is one of them—this becomes more important every day.

Her experience is just as deep on domestic issues. As U.S. attorney for a major urban district, she clearly understands the importance of protecting us from gangs and organized crime, issues that are front and center in my home State of California.

Her work in this area shows she understands local and international criminal organizations.

In the last year, under her leadership, three individuals connected to a major organized crime family pleaded guilty to a racketeering conspiracy.

A gang leader was found responsible, after a five-week trial, “for six murders, two attempted murder[s], armed robberies, murder-for-hire, narcotics, distribution, and gambling on dog fighting.”

Another gang leader was convicted and sentenced to 37 years in prison for ordering the murder of two individuals, one of whom was believed to be associated with a rival gang.

Three individuals in a New York cell of an international cybercrime organization were also convicted on charges stemming from cyberattacks that resulted in \$45 million in losses.

She has also made combatting human trafficking a priority. Over the

last decade, her office's anti-trafficking program has indicted more than 55 defendants in sex trafficking cases and rescued more than 110 victims of sex trafficking, including more than 20 minors.

Simply put, Loretta Lynch has been on the frontlines in investigating and prosecuting a range of perpetrators, and I believe she will continue that work as Attorney General.

I would be remiss if I did not express my extreme disappointment in the delay over Ms. Lynch's confirmation. We have before us a nominee with impeccable credentials to serve as the Nation's chief law enforcement officer. During her confirmation, Senator LEAHY asked a panel of witnesses who were pro and supposedly con to raise their hands if they opposed her. Not a single witness raised their hand. To me, that spoke volumes.

Even Republicans who will vote against her because they disagree with the President praise her credentials and personal qualifications. But despite all of that, the Senate subjected her to, I think, an inexcusable delay. It is particularly sensitive because this would be the first African-American woman as Attorney General in the history of the United States.

If you look at race relations today and the impartial and important role that the Department of Justice plays, it seems to me that her appointment may well be the most important possible appointment at this particular point in time. Her nomination has been pending for 56 days on the floor. That is more than twice as long as the seven most recent Attorneys General combined.

So, hopefully, it is done now. I recognize the other side will say they could not move the nomination because of the trafficking bill or for some other reason. But the fact remains that, historically, we customarily move back and forth between executive and legislative business. We could have done that here as well. We have confirmed district judges, we have confirmed individuals who serve in various other executive capacities, including subcabinet positions. So we could have easily considered the nominee for one of the most important posts in this government.

Let me conclude with this. I regret that a vote on her nomination cannot be unanimous. I hope it will be close to that. I do not think that will be possible. She is that good. She deserves a unanimous vote. She is as fine as I have seen in my time in the Senate.

Senator DURBIN remarked in committee that her confirmation will be a truly momentous occasion for the Senate and for our Nation. He said this should be a “solemn, important, and historic moment for America.” I truly believe he was right. I truly believe this is an uncommon nominee at an uncommon time who can display a tremendous will, drive, motivation, and sense of justice as our U.S. Attorney

General. I am very honored to cast my vote in favor of her nomination.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, briefly, this should be a happy day for America. This should be a day that is circled on the calendar as another day, as the Presiding Officer of this Senate knows, that this is about the American dream. This woman is the embodiment of the American dream in action. We should be celebrating her confirmation to the most important law enforcement position in the United States of America.

So why am I not happy? I am sad. I am depressed, because what we are going to witness in a few minutes is base politics at its ugliest. It does not get any uglier than this because what we are saying today—what my colleagues on the other side of the aisle are saying today is that it does not matter if you are qualified. It does not matter if you are one of the most qualified nominees for Attorney General in the history of our country. That makes no difference. We have a new test: You must disagree with the President who nominates you. Let me say that again because we love common sense in Missouri. This defies common sense. You must vote against a nominee for the Cabinet of the duly elected President of the United States because she agrees with the duly elected President of the United States. Think of the consequences of that vote. Think what that means to the future of advise and consent in this Senate.

If we all adopt this base politics “place in the cheap seats,” I can’t get elected President unless I am against Loretta Lynch, if we all adopt that in the future, how is any President elected in this country going to assemble a Cabinet? Because it will be incumbent on all of us to be against Cabinet members who have the nerve to agree with the President who has selected them for their team.

It is beyond depressing. It is disgusting. She is so qualified. She has worked so hard all of her life. She is a prosecutor’s prosecutor. She has prosecuted more terrorists than almost anybody on the face of the planet. The notion that this has occurred because she agrees with the man who selected her—I think everyone needs to understand what that means to the future if all of us embrace that kind of base politics in this decision. It is not a happy day. It is a very sad day.

I am proud of who Loretta Lynch is. I am proud she will be Attorney General of this country. I am sad it will be such a close vote.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, Loretta Lynch is an historic nominee. What I worry about is this body is making history for the wrong reasons. Senate Republicans have filibustered her. She becomes the first out of 82 Attorneys General in our Nation’s history to face a filibuster.

On one hand she is an historic nominee for the right reason; the first African-American woman for Attorney General, a woman who is highly, highly qualified. Everybody agrees with that. But what a shame that we have the second part of history, to have her be the first out of 82 Attorneys General to be filibustered—to be held to this very disturbing double standard. This woman has had to face double standards all her life—why one more? I will proudly vote for her.

I ask unanimous consent to yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Loretta Lynch to be Attorney General.

Mitch McConnell, Richard Burr, John Cornyn, Lamar Alexander, Bob Corker, Jeff Flake, Susan M. Collins, Orrin G. Hatch, Thom Tillis, Lisa Murkowski, Harry Reid, Richard J. Durbin, Patrick J. Leahy, Patty Murray, Amy Klobuchar, Kirsten E. Gillibrand, Charles E. Schumer.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Loretta E. Lynch, of New York, to be Attorney General shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 66, nays 34, as follows:

[Rollcall Vote No. 164 Ex.]

YEAS—66

Alexander	Flake	Murphy
Ayotte	Franken	Murray
Baldwin	Gardner	Nelson
Bennet	Gillibrand	Peters
Blumenthal	Graham	Portman
Booker	Hatch	Reed
Boxer	Heinrich	Reid
Brown	Heitkamp	Roberts
Burr	Hirono	Rounds
Cantwell	Johnson	Sanders
Capito	Kaine	Schatz
Cardin	King	Schumer
Carper	Kirk	Shaheen
Casey	Klobuchar	Stabenow
Cochran	Leahy	Tester
Collins	Manchin	Thune
Coons	Markey	Tillis
Corker	McCaskill	Udall
Cornyn	McConnell	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden

NAYS—34

Barrasso	Cruz	Hoeven
Blunt	Daines	Inhofe
Boozman	Enzi	Isakson
Cassidy	Ernst	Lankford
Coats	Fischer	Lee
Cotton	Grassley	McCain
Crapo	Heller	Moran

Murkowski	Sasse	Toomey
Paul	Scott	Vitter
Perdue	Sessions	Wicker
Risch	Shelby	
Rubio	Sullivan	

The PRESIDING OFFICER (Mrs. FISCHER). On this vote, the yeas are 66, the nays are 34.

The motion is agreed to.

Cloture having been invoked, under the previous order, there will be up to 2 hours of postcloture debate equally divided between the two leaders prior to a vote on the Lynch nomination.

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

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

UNANIMOUS CONSENT AGREEMENT—H.R. 1191

Mr. MCCONNELL. Madam President, last week the Senate entered a unanimous consent agreement to get on the bipartisan Iran congressional review act at a time to be determined by the two leaders. Now that the Senate has passed the antitrafficking bill and the Lynch confirmation vote has been scheduled for later today, it is my intention to turn to the Iran legislation.

Therefore, I ask unanimous consent that at 3 p.m. today the Senate agree to the motion to proceed to H.R. 1191, as under the previous order, with debate only during today’s session of the Senate following the offering of a substitute amendment by Senator CORKER or his designee, as under the previous order.

I further ask that following leader remarks on Tuesday, April 28, 2015, Senator CORKER be recognized to offer an amendment to the pending substitute.

The PRESIDING OFFICER. Is there objection?

The Democratic leader.

Mr. REID. Madam President, it is my understanding that on Monday there will be opportunity for debate.

Is that right, Mr. Leader?

We will do that at closing tonight. That would be good.

Madam President, I appreciate very much the understanding of the Republican leader, the majority leader, about how to proceed on this. This is a really important piece of legislation. I don’t know of a piece of legislation in recent years that is more important than this. So I look forward to the Senate turning to this legislation.

I again applaud and commend Senators CORKER and CARDIN for the delicate and very good work they have done on this. This measure, I repeat, is important. It deals with matters of international affairs and Congress’s role in carrying out the constitutional responsibilities we have. This bill will take some time. I hope we can finish it as rapidly as possible. That is what I want.