

independence for whatever it may accept under that character—that by such acceptance it may place itself in the condition of having given equivalents for nominal favors and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish—that they will control the usual current of the passions or prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good, that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism—this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April 1793 is the index to my plan. Sanctioned by your approving voice and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take—and was bound in duty and interest to take—a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and ex-

perience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat, in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow citizens the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES, 19th September 1796.

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

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

EXECUTIVE CALENDAR—Continued

Mr. CASEY. Madam President, I ask unanimous consent to speak as in morning business.

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

TRIBUTE TO DR. CONSTANCE E. CLAYTON

Mr. CASEY. Madam President, I rise today, as I have every year that I have been in the Senate, which is quite a long time now—the last 10 years, going into 11—to give some remarks in commemoration of Black History Month. The way I have done that, and the way our office has done it, is to recognize a special figure in my home State of Pennsylvania, an individual who we are very proud of. Today we honor Dr. Constance E. Clayton, a trailblazing figure whose career in education positively impacted the lives of countless children in Philadelphia, and whose work

continues to pay dividends in the city public schools to this day. Throughout her long career as a teacher and administrator in the Philadelphia School District, Dr. Clayton never lost sight of her mission. In her words: “The children come first.”

A product of Philadelphia public schools, Dr. Clayton became the first African American and the first woman to serve as superintendent of the Philadelphia School District. This Black History Month, we celebrate Dr. Clayton's place in that history, but as we do, we should also ask ourselves if we are living up to her legacy and if we are putting the children first—all children everywhere first.

I will be seeing Dr. Clayton today and so many of her friends. The rules don't allow me to acknowledge anyone else in the Chamber. So I will do that later. But I do want her to know how much we appreciate her giving us this much time to pay tribute to her and to her work.

Connie Clayton's story is a great American story. Born to a plumber and social worker, she was raised by her mother and grandmother after her parents divorced when she was just 2 years old. She attended Paul Lawrence Dunbar Elementary School in Philadelphia.

Her mind, like that of so many children, was awakened by a special teacher. In her case, it was her fourth grade teacher at Dunbar, whose name she still readily recalls—Ms. Alice Spotwood. She remembers that Ms. Spotwood was kind, and she made learning fun. She also remembers that Ms. Spotwood seemed interested in her individually, even as she was interested in every other child in that classroom. Ms. Spotwood made Connie feel special.

Connie Clayton went on to attend Jay Cook Junior High School and Philadelphia High School for Girls, where she excelled academically. She thought she wanted to be a doctor, even taking 4 years of Latin at Girls High School on the theory that she would need to decipher dated medical jargon. Her enthusiasm waned when she realized that calling a body a corpus didn't make studying its contents any more appealing. She chose, instead, to focus on the mind, earning her bachelor's degree and her master of education degree from Temple University, before going on to her doctorate of education in educational leadership from the University of Pennsylvania, where she was a Rockefeller scholar.

Dr. Constance E. Clayton recognized that education—her education—was what empowered her to succeed. It started at Dunbar, where teachers like Ms. Spotwood first taught her to raise her sights and to reach out and to believe. So it is no coincidence that her first step in her professional life was to go back to Dunbar and return the favor. She took a role as a student teacher alongside many of the same people who taught her before she could imagine that the letters “Ph.D.” would

follow her name or that the title “Superintendent” would someday precede it.

In 1955, Dr. Clayton got her first full-time teaching job at Philadelphia’s Harrison Elementary School, where she taught fifth grade social studies. Grounded in that personal mission that children come first, Dr. Clayton’s years as a teacher revealed a unique gift for understanding children, their specific challenges and their particular needs. This is no doubt why, in the years that followed, she earned a role in developing the social studies curriculum for the entire district and led an effort to develop and train teachers to implement a Black history curriculum throughout the school district.

Dr. Clayton recalls understanding that for students at a predominantly Black school in Philadelphia, it is Black History Month every day, every month, and they need to see their lived experience reflected in the course material because they didn’t see many white picket fences where they were growing up. To paraphrase Carter Woodson, often known as the father of Black history himself: Kids need to learn, not just about Black history but about Black people in American history. Dr. Clayton recalls the reward of watching kids excited to learn that they, too, could be a painter, an author, an astronaut or whatever they wanted, and of watching the limits of those children’s imaginations dissolve before their eyes.

Dr. Clayton didn’t limit her own imagination either. In 1972, she was named executive director and associate superintendent of early childhood education programs for the Philadelphia School District.

Early childhood education is an issue dear to my own heart, as the sponsor of legislation here in the Senate to ensure universal early education nationwide. We know that the stakes for this issue are high. Early learning increases future income. It reduces the chance of arrest or incarceration, and it also reduces reliance on social services. Under Dr. Clayton’s leadership, the Philadelphia School District expanded and enhanced its early education program into a national model.

Connie Clayton’s passion for helping children and her competence did not go unnoticed. In 1982, she was chosen as superintendent of the Philadelphia School District, the first African American and the first woman to hold that role. She knew the expectation would be high, but her mother always told her: “Delete the word ‘can’t’ from your vocabulary.” So Connie hit the ground running hard, declaring in the press conference where she accepted the job that motto that would come to define her tenure: “The children come first.”

I have often said that there is a light inside of every child, and it is the obligation of adults, especially elected officials, to make sure that this light shines brightly to the full measure of

its potential. We know that from day one as superintendent, Dr. Connie Clayton knew her job was to nurture this light. But as a product of segregated education herself, she understood that our system doesn’t always allow every light to shine equally bright.

High minority schools often receive less funding, often have less experienced teachers, and often offer fewer high-level math and science courses. We know still today that this is true. Black K–12 students are almost four times as likely as White students to receive an out-of-school suspension and almost twice as likely to be expelled. Black students represent 16 percent of the public school population today but 42 percent of the population of justice facility education programs.

Connie Clayton refused to simply curse the darkness of these numbers. She worked to change them. She knew that an enlightened mind can empower students to overcome the traps laid by cynicism, indifference, and underfunding—to slip the bounds of low expectation, beat the odds, and then turn around and work to change them. A good education can take that light inside and make it flare.

She might have asked, and we still are asking: What, then, is a good education? Can some combination of facts and numbers alone contain this transformative power of education?

Well, W.E.B. Du Bois said: “Education must not simply teach work—it must teach life.” Dr. Clayton understood this in all of its implications, both clear and subtle. She knew it was clear that a good education starts with an open school.

In the 5 years preceding Dr. Clayton’s term as superintendent, there were five teacher strikes in Philadelphia that cost students 1,000 days in the classroom. But during her 11 years in office, there wasn’t a single strike. She knew it was clear that a good education requires funding. When she came in, the Philadelphia School District was facing a crushing \$90 million deficit. When she left, it was running a surplus, and she had created financial partnerships with area businesses, all without closing a single school.

Dr. Clayton knew it was clear that a good education comes from a good curriculum. When she came in, she noticed the school district had stopped teaching algebra. When she left as superintendent, she fostered a partnership with local university professors to teach the subject of algebra to a voluntary class that grew from 9 kids the first year to over 1,900.

She implemented a free breakfast program because she knew that students from certain parts of the district might not be able to get food in the morning. We know, as she knew well, that hungry kids cannot learn.

She reinstated summer school because she knew that a few credits here or there can mean the difference between a diploma and a dropout, and in

that difference lay the blueprints to divergent lives.

She treated her schools like second homes for children because she remembered, from all of her years of teaching, how the vast majority of parents wanted more for their kids than they were able to provide and that they just needed some help in filling the gaps.

She took just 1 week of vacation in 11 years as superintendent—that has to be some kind of national record—and just 1 day of vacation in her many years of teaching before that, because she felt not just a passion for her work but an urgency to see its results.

Dr. Clayton had a sense of urgency about educating these children, in the same way it was urgent for the followers of Sojourner Truth in the 19th century. It was urgent for the students in the Student Nonviolent Coordinating Committee, known as SNCC, in the 20th century. They had that urgency. It has been urgent for all the ordinary lives before, between, and since. It was urgent for little Hannah A. Lions, a girl studying in Philadelphia in the 1830s whose family saved her school copybook as “proof that there were some educated [Black] people back when” and donated this copybook to the recently opened National Museum of African American History and Culture here in Washington, where it sits on display.

It was as urgent, of course, for Dr. Constance Clayton, when she attended segregated schools in the same city some 100 years after Hannah. That is because a good education is not just some combination of numbers and facts. It is enlightenment for a mind constrained, freedom for a soul repressed, and a passport to a future that transcends artificial limitations and unleashes potential.

Dr. Clayton worked feverishly to put one of those passports in the pockets of each student who passed through the Philadelphia schools under her watch. Her passion and her vision earned her a reputation as a reformer whom the *New York Times* wrote led an “educational renaissance” in Philadelphia.

She would do whatever it took to make schools better for her students. She pushed the district to meet the goals of the America 2000 Program, an ambitious plan to significantly increase the achievements of urban school districts across the country. She instituted the Homeless Student Initiative, a successful program to provide continuity in education and a level of consistent support to the hundreds, perhaps thousands, of homeless children in the district enduring the daily hardships of life in shelters. Connie worked to desegregate schools and made sure the district was providing employment opportunities to minority candidates.

Several years into her administration, the executive director of the Council of Great City Schools remarked of Dr. Clayton’s tenure as superintendent: “Looking at an array

of programs carried out in Philadelphia, you will see almost every innovative reform that has been proposed in urban schools.” So it is no surprise that Dr. Clayton received all manner of awards and honors. Let me mention a few: the Dr. Constance E. Clayton Chair in Urban Education at the Graduate School of Education at the University of Pennsylvania, which was named in her honor—the first endowed professorship in the United States to be named after an African-American woman. She received the Distinguished Daughters of Pennsylvania Award and the Humanitarian Service Award from the Philadelphia Commission on Human Relations, as well as the 2008 Star Community Commitment in Education Award from the Philadelphia Education Fund, just to name a few. She has received honorary doctorates from 17 colleges and universities, not to mention being a visiting professor at Harvard Graduate School of Education. I could go on and on today.

She currently serves as trustee of the Philadelphia Museum of Art, chairing the African and Afro-American Collections and Exhibits Committee and is a life member of the Delta Sigma Theta Sorority, where she has served in multiple leadership roles.

Connie Clayton’s life has been a life of service. We know that in our State capitol—the building has the following inscription: “All public service is a trust given in faith and accepted in honor.” Dr. Clayton honored the trust of public service. She validated the faith that the parents of all those students placed in her to carry out that trust, and she always put school-children first. So on behalf of those students and their parents and everyone else her work touched in the course of her long career, it is my distinct privilege to honor Dr. Constance E. Clayton in celebration of Black History Month on the Senate floor today. I want to convey our gratitude for her devotion to education and, of course, to the children of Philadelphia.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. CORNYN. Madam President, it has been since January 20 when President Trump was inaugurated that we have been trying to get his Cabinet choices confirmed here in the Senate. Unfortunately, it has been slow-walked to the point now that tonight we are going to be voting on the President’s nominee to lead the Commerce Department, Mr. Wilbur Ross. I am grateful to Mr. Ross for wanting to serve the country in this way. I think President Trump has chosen wisely as to the Commerce Secretary.

One of the things President Trump said Mr. Ross will do is enter into the negotiation process on NAFTA, the North American Free-Trade Agreement. In my part of the world, in Texas, NAFTA is viewed positively; it is not a dirty word.

Some people have suggested that trade somehow has a negative impact on our economy, but I believe the evidence is to the contrary. As a matter of fact, just between Mexico and the United States—5 million jobs depend on binational trade between Mexico and the United States. I know from time to time we have differences of views with Mexico. I saw that Secretary Kelly and Secretary Tillerson were in Mexico City on Wednesday talking about some of those differences but reassuring our Mexican counterparts of our sincerity and good will in trying to work through those. But the fact is, we share a common border with Mexico. What happens in Mexico has an impact on the economy and public safety in the United States and vice versa.

So I am actually grateful for the conversation I have had with the Secretary of Commerce nominee, Wilbur Ross and that he is interested in updating NAFTA, the North American Free-Trade Agreement, rather than throwing the baby out with the bath water. I think that is a positive approach and one that I certainly support.

We have a lot more Cabinet posts that remain vacant in the executive branch because our friends across the aisle have decided that somehow serves their political interests. But it does not serve the public’s interests and it does not serve the country’s interests to have a brandnew administration without the ability of the President to pick and choose the people he wants to help him govern the country. It creates more problems, and it also prevents us from getting on with the other important business of the Congress and working together with this President to try to move the country forward in so many important ways.

I am glad we will actually consider Congressman ZINKE’s nomination for the Department of Interior later this evening, but we are going to have to go through this arduous process, this procedural process of cloture and postcloture time-burning before we can actually vote on this qualified nominee. I have said before that by holding up these qualified nominees, they are not only preventing the executive branch from working for the benefit of the American people, but they are also keeping us from our other job. After we get out of the personnel business, we need to get about the business of legislating and producing results for the American people. So I hope that at some point and at some point soon, our Democratic friends will let us move on from the confirmation process and get down to work where we can make that progress.

NOMINATION OF NEIL GORSUCH

One of the areas in which I am very excited about our ability to effect change will be in considering the President’s nominee to fill the seat left vacant by the tragic passing of Justice Antonin Scalia. It has been a month since President Trump nominated Judge Neil Gorsuch to that position. As Americans—including Members of the Senate—are familiarizing themselves with his incredible record, I have been glad to see folks on both sides of the aisle speak so well of him, not just his sterling character and his sterling legal career but how he appears to be really the role model for the type of person you would want to see sitting on the Supreme Court of the United States. Those who know him and his work understand that he exemplifies the integrity, intellect, and accomplishment we would expect from someone on our highest Court.

Some of our colleagues across the aisle—notably the minority leader—have complained that Judge Gorsuch has refused to prejudge certain issues he has been asked about that will likely come before him as a member of the Supreme Court of the United States. I think Judge Gorsuch has it right. It is common practice for Supreme Court nominees, reflecting the judicial ethics of not deciding cases before they are actually presented, to decline to answer those sorts of speculative questions. Justice Ginsburg, whom the minority leader clearly respects, made this point eloquently, and Supreme Court nominees have adhered to the norm ever since. If following the well-conceived practices developed by people like Justice Ginsburg of declining to answer questions about how they would decide a case if it came before the Supreme Court—certainly if that is the rule she would embrace, then that ought to be good enough for Judge Gorsuch as well.

I think it reflects the fact that our friends across the aisle who are looking for something to complain about with Judge Gorsuch simply can’t find anything, and so they are creating this false choice of asking him to decide cases before he even assumes the bench on the Supreme Court, which clearly is unethical for any judge to do because judges are not politicians running on a platform; a judge’s job is to decide the law according to the law and the Constitution. How can you possibly know before the case is presented what the facts might be or how the issue might be presented to the court?

Every ethicist, every legal scholar who has had a chance to comment on such things understands that we can’t ethically require judges to say how they would decide cases before they go on the court. If they did, I think they would be disqualified from serving because they would really be just a politician wearing a black robe but one who is unaccountable to the American people since they serve literally for life.