

minutes of debate, equally divided in the usual form.

The Senator from California.

Mrs. FEINSTEIN. Mr. President, how much time do I have?

The PRESIDING OFFICER. The time has not been specifically apportioned to the Senator from California.

(The remarks of Mrs. FEINSTEIN pertaining to the introduction of S. 240 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mrs. FEINSTEIN. I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, I ask unanimous consent to be yielded 5 minutes for myself and then 5 minutes for the Senator from Arkansas to answer and perhaps object after I make motions.

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

UNANIMOUS CONSENT REQUESTS—S. 240 AND EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I will speak and then make my two motions, and then the Senator from Arkansas can speak and either object or not, whatever he decides.

Mr. President, earlier I spoke at length on the President's Executive order. I just want to repeat that this Executive order has made us less safe, less secure, put our troops in the field at increased risk, and was implemented in a way that has caused chaos and confusion across the country. Most fundamentally of all, it is un-American. It flies in the face of a grand American tradition of granting refuge to those fleeing persecution, regardless of their race, religion, or political views. It is dangerous. It is shameful. It is wrong. It must be reversed immediately. And I know that many of my colleagues agree with me. They know this is wrong. A dozen Republican Senators and counting, including my good friend, the senior Senator from Arizona, have expressed serious concern. One former Republican CIA Director said that it "makes us less safe than we were on Friday."

So let's repeal the order and then sit down to discuss a smart, thoughtful, effective way to counter terrorism. President Obama wanted tougher vetting. Democrats are happy to look at proposals to that effect but not this ineffective, un-American policy that will do more to empower our enemies and inspire those around the globe who would do us harm.

Now I am going to make a second unanimous consent request, and I will do them seriatim, as the UC allowed.

The second request is, I ask unanimous consent that we delay the confirmation vote on Secretary of State nominee Rex Tillerson until these Executive orders are overturned and he commits to opposing them.

So far, this is the most important foreign policy order of the new administration, and in the committee hearing for his nomination, Mr. Tillerson

appeared—he wasn't 100 percent certain—to roundly reject the idea of a blanket travel ban just like the one President Trump signed. He said: "I don't support a blanket type of travel ban on people coming to this country." He stressed in his opening statement that moderate Muslims are going to be our greatest allies in the fight against Islamic extremists. The implication was that he wouldn't support a proposal that would in any way alienate and inflame them. He said he didn't think it was helpful to suggest that Americans should be afraid of Muslims. That would suggest he might be wary about a policy that explicitly singles out seven majority-Muslim countries for different treatment under U.S. policy.

Now, many of the comments Mr. Tillerson made to the committee are at odds with the President's policy. So Democrats and Republicans alike and the American people, most of all, deserve to know whether Mr. Tillerson would implement this Executive order or not because it seems to directly contradict comments he made under oath to a Senate committee. Key allies around the world are wondering whether the potential future Secretary of State supports this policy, and so are the American people.

Here are some important questions: Did he have any involvement or consultation in the construction or drafting of the Executive order? How would he answer the outcries from countries around the world that are asking that President Trump rethink this policy? Does he think it would make us less safe? Does he think it would alienate moderate Muslim communities in the United States and around the world? And does he believe current green card holders should be subjected to another round of scrutiny if they come back to the United States, even though they have been vetted before?

We need these answers from President Trump's nominees, and Mr. Tillerson's nomination is before the Senate right now, so it is imperative that we know what he thinks before moving forward.

So, Mr. President, I am making two unanimous consent requests.

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

The PRESIDING OFFICER. Is there objection?

The Senator from Arkansas.

Mr. COTTON. Mr. President, I reserve the right to object.

If the Democratic leader wants to proceed.

Mr. SCHUMER. Thank you.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. I have a second unanimous consent request.

Mr. President, I ask unanimous consent that the cloture vote on Calendar No. 2, the nomination of Rex W. Tillerson for Secretary of State, be postponed until Executive Order 137 is rescinded and Mr. Tillerson has provided in writing to the Senate Foreign Relations Committee information pertaining to his involvement in the development of the Executive order, as well as a statement declaring whether or not he agrees with the order.

The PRESIDING OFFICER. Is there objection to the first request of the Senator from New York?

Mr. COTTON. Mr. President, I object to the first request.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the second request of the Democratic leader?

Mr. COTTON. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. COTTON. Mr. President, so once again we are hearing the Democrats and the media traffic in fake news. We heard a lot on this floor and over the weekend about a Muslim ban. This is a so-called Muslim ban that applies only to seven countries, and it does not apply to Indonesia, India, Pakistan, Bangladesh, or Nigeria—the five largest Muslim populations in the world. I have heard lots of claims on TV about 134 million Muslims who could be affected. Of course that leaves 1.6 billion Muslims who are not affected.

This is not a Muslim ban; this is a temporary pause of movement from seven countries, which President Trump did not pick from thin air. He picked from acts of this Congress and the Obama Department of Homeland Security—five countries in a state of near anarchy; a sixth country, Iraq, which has had a large part of its territory overrun by the Islamic State; and a seventh, Iran, which is the world's worst state sponsor of terrorism. Moreover, it is not a ban; it is simply a temporary pause for 3 to 4 months to evaluate whether Obama administration policies are strong enough to keep this country safe.

We also heard claims that this is somehow unconstitutional. However, there is no free-floating global right of people around the world to come to this country. President Trump's order is nothing more than a temporary pause on migration from countries with very weak state institutions or which sponsor terrorism, while the President and the administration take a more thorough review of our vetting procedures and the refugee program as a whole.

Secretary Kelly has stated that it does not apply to green card holders. Secretary Mattis is reportedly advising that the long-term policy accommodate Iraqis with a documented history

of serving with our troops, which I obviously support.

In fact, a temporary pause for security evaluations is so sensible that in November 2015, after the Paris terrorist attacks, even the minority leader suggested that “a pause may be necessary.” It wasn’t beyond the pale then, and it is not now. Moreover, the people who are enforcing our laws on the frontlines agree with President Trump. The union for Border Patrol and Customs Enforcement agents has stated that they support this order and two other related immigration orders.

Yet here is the minority shedding crocodile tears over President Trump’s immigration refugee policy, but where were those tears for the last 8 years when President Obama’s foreign policy created all of these refugees? Where were the tears when President Obama overthrew the Government of Libya with nothing to follow? Where were the tears when President Obama withdrew from Iraq, leaving that country to fend off Iran and the Islamic State? Where were the tears when President Obama gave Iran \$100 billion to continue its imperial campaign throughout the Middle East, to include overthrowing the Government of Yemen through its proxies? And most notoriously, where were the tears when President Obama stood idly by and watched Syria go up in flames? Spare me the tears now.

If the minority is worried about the President’s counsel and wants to make a difference in the real world, I suggest we get to work and we confirm Rex Tillerson to be the Secretary of State and JEFF SESSIONS to be the Attorney General. In the meantime, I object.

I yield the floor.

The PRESIDING OFFICER. Objection is heard.

Is there further debate?

CLOTURE MOTION

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

The bill 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 Rex W. Tillerson, of Texas, to be Secretary of State.

Mitch McConnell, John Cornyn, Richard Burr, Tom Cotton, Jerry Moran, Pat Roberts, James Lankford, Johnny Isakson, Bob Corker, Orrin G. Hatch, Thom Tillis, Dan Sullivan, David Perdue, James M. Inhofe, Deb Fischer, Cory Gardner, John Barrasso.

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

The question is, Is it the sense of the Senate that the nomination of Rex W. Tillerson, of Texas, to be Secretary of State shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. HEINRICH) is necessarily absent.

(Disturbance in the Visitors’ Galleries.)

The PRESIDING OFFICER. The Sergeant at Arms will restore order in the Senate.

The Galleries will remain quiet.

The Sergeant at Arms will restore order.

Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 56, nays 43, as follows:

[Rollcall Vote No. 34 Ex.]

YEAS—56

Alexander	Gardner	Paul
Barrasso	Graham	Perdue
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heitkamp	Roberts
Capito	Heller	Rounds
Cassidy	Hoover	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Corker	Johnson	Sessions
Cornyn	Kennedy	Shelby
Cotton	King	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	Manchin	Toomey
Enzi	McCain	Warner
Ernst	McConnell	Wicker
Fischer	Moran	Young
Flake	Murkowski	

NAYS—43

Baldwin	Franken	Peters
Bennet	Gillibrand	Reed
Blumenthal	Harris	Sanders
Booker	Hassan	Schatz
Brown	Hirono	Schumer
Cantwell	Kaine	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Markley	Udall
Coons	McCaskill	Van Hollen
Cortez Masto	Menendez	Warren
Donnelly	Merkley	Whitehouse
Duckworth	Murphy	Wyden
Durbin	Murray	
Feinstein	Nelson	

NOT VOTING—1

Heinrich

The PRESIDING OFFICER (Mr. LANKFORD). On this vote, the yeas are 56, the nays are 43.

The motion is agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

TRAVEL BAN

Mr. DURBIN. Mr. President, this is the 11th day of the Trump Presidency. To say that these have been tumultuous days is certainly an understatement. What happened over this past weekend really was unsettling to many people all across the United States.

Candidate Trump made it clear that he had strong feelings about refugees and strong feelings about immigration, but I don’t think anyone anticipated the Executive orders that were issued by the Trump administration, by the President, on Friday. The net result of that we saw across the United States

at O’Hare International Airport, JFK, Dulles, many other airports. International travelers, en route, learned that the laws of the United States were being changed because of President Trump’s Executive order. As a result, there was a lot of confusion and uncertainty, and hardships were created. Individuals who were coming to the United States as refugees were being turned away.

For the record, this decision to indefinitely suspend the admission of Syrian refugees into the United States is not a decision based on fact. Since 9/11, since the war in Syria began, we have not had a single—not one—instance of terrorism by a Syrian refugee—not one. The United States has not stepped up as other countries like Canada have in admitting Syrian refugees. We have gone to great lengths, extraordinary lengths, to give background checks that are as consuming as one can imagine, to verify their identity and their safety to the United States.

Overwhelmingly, these Syrian refugees are the victims of a deadly war which has gone on for years, and overwhelmingly they are children with their mothers. I have met them. I sat down with them in Chicago. It is heartbreaking to think that they have lived through war, may have been lucky enough to make it to a refugee camp, and then waited for years—for years—to be cleared by the United States and be given a chance to come to this country.

It has to be a heartbreak process. Through it all, many of them have endured losses in their families that they will never be able to forget—injuries and deaths of people whom they love. These are men and women in Syria escaping a deadly war and the terrorists who have ravaged that country. They have tried to come to the United States for safety and security.

The history of refugees in America is one that in modern version is very admirable, but unfortunately before—during World War II—it was a sad chapter in our history. Not only did we inter about 120,000 Japanese Americans in camps during the war for fear that they would betray the United States, but during that war, time and again, the administration of President Roosevelt as well as Congress refused to allow those who were escaping the Holocaust in Nazi Germany to come to the United States.

Here on this Senate floor where I stand, an effort was made by Senator Robert Wagner of New York to admit 10,000 Jewish children out of Nazi Germany into the United States so that their parents would have the peace of mind that they would not be killed by the war or the Holocaust. That measure was defeated on the floor of this Senate. Prior to our entry into the war, those who tried to escape Nazi Germany and come to the United States were turned away by the United States.