

National School Board imposing their mandates on states, for example, Common Core academic standards.

So, who is in the mainstream here? The GI Bill, Pell Grants, student loans, both Presidents Bush, President Trump, the 25 states that allow parents to choose among public and private schools, Congress with its passage of the Washington, D.C. voucher program, 45 U.S. senators who voted in 2015 to allow states to use existing federal dollars for vouchers, Betsy DeVos—or her senate critics?

The second reason Democrats oppose Mrs. DeVos is that she supports charter schools—public schools with fewer government and union rules so that teachers have more freedom to teach and parents have more freedom to choose the schools. In 1992, Minnesota's Democratic-Farmer-Labor party created a dozen charter schools. Today there are 6,800 in 43 states and the District of Columbia. President Obama's last Education Secretary was a charter school founder. Again, who is in the mainstream? Minnesota's Democratic-Farmer-Labor party, Presidents Bush, Clinton and Obama; the last six U.S. Education Secretaries, the U.S. Congress, 43 states and the District of Columbia, Betsy DeVos—or her senate critics?

Her critics dislike that she is wealthy. Would they be happier if she had spent her money denying children from low-income families choices of schools?

Mrs. DeVos' senate opponents are grasping for straws. We didn't have time to question her, they say, even though she met with each one of them in their offices, and her hearing lasted nearly an hour and a half longer than either of President Obama's education secretaries.

Now she is answering 837 written follow up questions from Democratic committee members—1,397 if you include all the questions within a question. By comparison, Republicans asked President Obama's first education secretary 53 written follow-up questions and his second education secretary 56 written follow-up questions, including questions within a question. In other words, Democrats have asked Mrs. DeVos 25 times as many follow-up questions as Republicans asked of either of President Obama's education secretaries.

Finally, Democrats are throwing around conflict of interest accusations. But Betsy DeVos has signed an agreement with the independent Office of Government Ethics to divest, within 90 days of her confirmation, possible conflicts of interest identified by the ethics office, as every cabinet secretary is required to do. That agreement is on the internet.

Tax returns? Federal law does not require disclosure of tax returns for cabinet members, or for U.S. Senators. Both cabinet members and senators are already required to publish extensive disclosures of their holdings, income and debts. Cabinet members must also sign an agreement with the Office of Government Ethics to eliminate potential conflicts of interest.

One year ago, because I believe presidents should have their cabinet in place in order to govern, I worked to confirm promptly President Obama's nomination of John King to be Education Secretary, even though I disagreed with him.

Even though they disagree with her, Democrats should also promptly confirm Betsy DeVos. Few Americans have done as much to help low-income students have a choice of better schools. She is on the side of our children. Her critics may resent that, but this says more about them than it does about her.

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

The PRESIDING OFFICER. The Senator from New Hampshire.

TRAVEL BAN

Mrs. SHAHEEN. Mr. President, I came to the floor today to join with Senators and people across this country in speaking out against the President's misguided and, I believe, destructive Executive order that has abruptly closed our borders to all refugees as well as citizens from seven Muslim-majority countries.

During the campaign, Candidate Trump called for a "total and complete shutdown of Muslims entering the United States." I had certainly hoped that once in office, he would receive wise and prudent counsel and he would realize that elevating such a Muslim ban to the status of official U.S. policy would have very negative consequences.

Instead, what we have seen is that a small group in the White House acting in secret produced this Executive order. They did so without legal review and even without the knowledge of the Secretary of Homeland Security, the Secretary of Defense, or the nominee to be Secretary of State. As a result, as we all know, we saw a weekend of chaos and confusion—a self-inflicted wound to our national security and to our reputation in the world.

The consequences go far beyond the scenes of disorder that we witnessed in recent days. By singling out Muslim-majority countries and banning their citizens from entry into the United States and by denying entry to all refugees, the President has greatly damaged America's image across the world and, perhaps, worst of all, this Executive order is a gift to ISIS, Al Qaeda, and to every other radical jihadist group. On social media they celebrated the travel ban as a confirmation to their narrative that the United States is at war with Islam and that they are engaged in a clash of civilizations. One ISIS sympathizer praised the Executive order as a "blessed ban," comparing it to what he called "the blessed invasion" of Iraq, which inflamed anti-American anger across the Islamic world. This is dangerous because this is a powerful recruitment tool for our enemies.

I am also deeply concerned that this Executive order endangers our troops and our diplomats who are in the field. Today, more than 5,000 American troops are supporting Iraqi troops in the fight to reclaim Mosul and drive ISIS out of Iraq. By discriminating based on religion and nationality, the President's order undermines the local alliances and the trust established by our troops and diplomats in the field. This order is so ill-considered that, as originally drafted, it even barred Iraqi civilians, including translators who provided essential assistance to the U.S. mission.

Just to be clear, this Muslim ban is un-American. It is offensive to our Nation's core values and ideals. The right way forward is not to carve out small

exceptions to the Muslim ban. It is to repeal the ban entirely. The President has called for what he has termed "extreme vetting," but the truth is that our vetting procedures are already thorough and rigorous. It takes as long as 24 months for a refugee to make it through the process and come to the United States. The entire screening process takes place outside the United States. So it doesn't pose a threat to people here in America.

In my home State of New Hampshire, the President's Executive order has caused shock and profound concern, especially in our business and academic communities, as well as in our immigrant communities. T.J. Parker is the CEO of PillPack, a company that employs nearly 400 people in Manchester, which is the largest city in New Hampshire. He said on Monday: "This ban is wrong and goes against our values as a company and as Americans."

He continued: "I'm also deeply concerned about any measures that could discourage talented individuals from studying and working in the U.S."

The Union Leader newspaper reported yesterday that more than 700 refugees who settled in New Hampshire over the past decade are from the seven countries singled out in the Executive order and would have been banned from entry. These immigrants are not Iraqis, Somalis, Sudanese or Syrians. They are proud loyal members of our diverse American family. Many of them have spouses or children still in refugee camps, and they hope to be united with their families. The President's order has now slammed the door on these hopes.

Yesterday the Associated Press in New Hampshire reported on Dr. Omid Moghimi, an internist at New Hampshire Dartmouth-Hitchcock Medical Center. An American citizen, he fell in love with a childhood friend in Iran and married her in Tehran in 2015. Here is the picture of the two of them on their wedding day. After months of vetting for entry to the United States, his wife had an appointment for her visa interview. That appointment was abruptly canceled after the President's Executive order, and Dr. Moghimi worries that this could become permanent. He is now in his first year of a 3-year residency, and he fears he will have to leave the United States in order to live with his wife, who volunteers at daycare centers and an orphanage. Dr. Moghimi told the AP: "There's no evidence that she is in any way even a miniscule threat, security risk, and there are many, many cases like her out there."

If this Executive order stays in effect, we lose the opportunity to have Dr. Moghimi practice in the United States and maybe serve a community in New Hampshire, and it has a real impact on their lives. The ill-advised words and actions, including this Executive order, have damaged America's standing in the world and harmed our national security. But the Senate has

an opportunity to send a very different message to our allies and to our enemies across the globe. We can make clear that America's democracy is founded on a system of checks and balances, and that the President doesn't speak for America or make policy all by himself. I urge my Senate colleagues to join with us in supporting legislation to repeal the President's order. We need to send a clear message to the world that America does not support discrimination based on religion. We welcome appropriately vetted refugees from wars and violence, and we respect our Muslim allies, including our friends in Iraq who have sacrificed so much in the fight against ISIS.

In recent days we have seen what happens when America betrays its ideals and its allies. The Senate has a responsibility to reassert those ideals and to reassure our allies. I urge my colleagues to support legislation that Senator FEINSTEIN put forward to repeal the President's Executive order.

Thank you very much. I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. DONNELLY. Mr. President, I rise today to speak about the nominee for Secretary of State. I will be brief and to the point.

Mr. Rex Tillerson led his last organization in a lobbying campaign to undermine the national security interests of the United States in favor of Russia, Iran, and corporate profit. Putting narrow corporate interests ahead of America's national security interests is inexcusable for a CEO and disqualifying for a nominee to be our Nation's chief diplomat.

I will vote against Rex Tillerson's nomination for Secretary of State, and I encourage my colleagues to do the same.

Thank you, Mr. President. I yield back the remainder of my time.

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

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

Mr. ISAKSON. Mr. President, I yield back the remainder of our time.

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

All postcloture time has expired.

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

Mr. ISAKSON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 43, as follows:

[Rollcall Vote No. 36 Ex.]

YEAS—56

Alexander	Gardner	Paul
Barrasso	Graham	Perdue
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heitkamp	Roberts
Capito	Heller	Rounds
Cassidy	Hoeven	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	Gillibrand	Peters
Bennet	Harris	Reed
Blumenthal	Hassan	Sanders
Booker	Heinrich	Schatz
Brown	Hirono	Schumer
Cantwell	Kaine	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Markey	Udall
Cortez Masto	McCaskill	Van Hollen
Donnelly	Menendez	Warren
Duckworth	Merkley	Whitehouse
Durbin	Murphy	Wyden
Feinstein	Murray	
Franken	Nelson	

NOT VOTING—1

Coons

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote on confirmation.

The PRESIDING OFFICER. The question is on the motion to reconsider.

Mr. MCCONNELL. Mr. President, I move to table the motion to reconsider, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion to table the motion to reconsider the vote on confirmation.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Alabama (Mr. SESSIONS).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

The PRESIDING OFFICER (Mr. TOOMEY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 37 Ex.]

YEAS—55

Alexander	Capito	Cornyn
Barrasso	Cassidy	Cotton
Blunt	Cochran	Crapo
Boozman	Collins	Cruz
Burr	Corker	Daines

Enzi	Kennedy	Rounds
Ernst	King	Rubio
Fischer	Lankford	Sasse
Flake	Lee	Scott
Gardner	Manchin	Shelby
Graham	McCain	Sullivan
Grassley	McConnell	Thune
Hatch	Moran	Tillis
Heitkamp	Murkowski	Toomey
Heller	Paul	Warner
Hoeven	Perdue	Wicker
Inhofe	Portman	Young
Isakson	Risch	
Johnson	Roberts	

NAYS—43

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

NOT VOTING—2

Coons Sessions

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

## MOTION TO PROCEED TO LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Alabama (Mr. SESSIONS) and the Senator from North Carolina (Mr. TILLIS).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 38 Ex.]

YEAS—53

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