

Hoeven	Murkowski	Sessions
Inhofe	Paul	Shelby
Isakson	Perdue	Sullivan
Johnson	Portman	Thune
Kennedy	Risch	Tillis
Lankford	Roberts	Toomey
Lee	Rounds	Wicker
McCain	Rubio	Young
McConnell	Sasse	
Moran	Scott	

NAYS—47

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

NOT VOTING—1

Markey

The joint resolution (H.J. Res. 41) was passed.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

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

The senior assistant 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 Elisabeth Prince DeVos, of Michigan, to be Secretary of Education.

Mitch McConnell, David Perdue, Johnny Isakson, Tom Cotton, Mike Crapo, James E. Risch, Pat Roberts, Roy Blunt, John Boozman, Lamar Alexander, John Barrasso, Orrin G. Hatch, Jeff Flake, John Cornyn, Shelley Moore Capito, John Thune, Richard Burr.

The ACTING PRESIDENT pro tempore. 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 Elisabeth Prince DeVos, of Michigan, to be Secretary of Education 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 52, nays 48, as follows:

[Rollcall Vote No. 52 Ex.]

YEAS—52

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

NAYS—48

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

The PRESIDING OFFICER (Mrs. FISCHER). On this vote, the yeas are 52, the nays are 48.

The motion is agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Elisabeth Prince DeVos, of Michigan, to be Secretary of Education.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, with this vote, the Senate will move early next week to confirm the nomination of Betsy DeVos to be the U.S. Education Secretary. In my judgment, she will be an excellent and important Education Secretary for this country.

The No. 1 job of the U.S. Education Secretary is to help create an environment in which our 100,000 public schools succeed, because that is where 9 out of 10 of our children go.

When I was Education Secretary for President George H.W. Bush in the early 1990s, I had the privilege of working with a man named David Kerns, who had been the chief executive officer of the Xerox Corporation. He came in as the Deputy Education Secretary at a time when he was not only one of the country's leading businessmen, but he was also the leading businessman who tried to help change public education. David Kern's belief was that it was very difficult to help children by changing public education if you try to do it from within. As all of us do, he respected the teachers, the parents, and the students who work within the pub-

lic education system, but over the last 30 years, as this country has worked to try to improve our public schools, much of that energy has come from outside the public school establishment. Among those were the Governors of the country.

In the mid-1980s, all of the Governors met together—in 1985 and 1986—on one subject for a whole year. The purpose was, how can we help improve our public schools? I was chairman of the National Governors Association that year, Bill Clinton was the vice chairman, and we did that in a bipartisan way. We did that from outside the schools. Since that time, many Governors and many business leaders have worked hard in support of our public schools, trying to help them have even better opportunities for our children. Among those has been Betsy DeVos. The Governors I spoke of are Governors who are familiar names in this country. I think of Gov. Jeb Bush, Gov. John Engler of Michigan, Gov. Mitt Romney, and the work they did in their respective States to make their public schools better and to create other opportunities for children. All of the three Governors I mentioned—Bush, Romney, and Engler—support Betsy DeVos.

As chairman of the Senate's Education Committee, there are 22 Governors who have written letters to me supporting Betsy DeVos. They see her as someone from outside the system of public education who, as they worked for 30 years, can help change and improve it.

Madam President, I ask unanimous consent to have printed in the RECORD following my remarks the names of the 22 Governors who support her. They come from Alabama, Arizona, Arkansas, Florida, Illinois, Indiana, Kansas, Kentucky, Maine, Michigan, Mississippi, Missouri, North Dakota, Nebraska, Nevada, New Jersey, New Mexico, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin.

The Governors of all those States support Betsy DeVos. Four of the last Education Secretaries support Betsy DeVos. Bill Bennett, Rod Paige, Margaret Spellings, and I support her. Joe Lieberman, who served in this body and worked on the DC voucher program for many years, endorsed her. She has strong support from the Governors who for 30 years have been working hard to successfully improve our public schools.

Some have said: Well, she has spent her time working on giving children choices of schools other than public schools.

She has done that, and it has always puzzled me as to why anybody would criticize that. The idea that a low-income child should have the same opportunity or more of the same opportunities as a wealthy family has would seem to me to be a very all-American idea. Not only does it seem to be, it is an idea that underlies the most successful piece of social policy our country has ever enacted, arguably—the GI

bill for veterans in 1944. Think about that. The veterans came home from World War II. We gave them a scholarship. It followed them to the college of their choice. Ms. DeVos has argued for the same thing for children. Why is an idea that has helped to create the greatest generation and the greatest colleges of the world so dangerous for schools?

I would argue that she has been among the forefront of the leaders—like the Governors—for the most successful reform of the last 30 years to change and improve public education, and that would be the public charter schools. Those began with 12 schools in Minnesota created by the Democratic-Farmer-Labor Party in the early 1900s. Since then, charter schools have been supported by every President—President Obama, President Clinton, Presidents Bush. President Obama's most recent Education Secretary was a founder of charter schools. Four times, this Congress, by big bipartisan majorities, has supported charter schools. The last six U.S. Education Secretaries have supported charter schools. Charter schools have grown from 12 Democratic-Farmer-Labor schools to 6,800 today, and 2.7 million children attend them. Teachers have more freedom and parents have more choices. They are public schools, and Betsy DeVos was in the forefront of helping to create that opportunity for public education.

Finally, she believes what 85 of us voted for in the law that President Obama called a “Christmas miracle” in December of 2015, and that is to reverse the trend from a national school board and restore control of our children and our schools to those closest to the children. There will be no mandates for common core, no mandates for teacher evaluation, no mandates for vouchers, and no mandates for anything else from a U.S. Department of Education headed by Betsy DeVos. We will be swapping a national school board for what she believes in, which is a local school board, which is what 85 of us voted for.

I am pleased to support her.

Madam President, I ask unanimous consent to have printed in the RECORD following my remarks an article published by Max Eden on January 29, 2017, which shows Detroit charter schools—by three major studies—are better and children perform better than the traditional schools of Detroit.

I look forward to casting my vote for Betsy DeVos for U.S. Education Secretary early next week.

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

HIGHLIGHTS AMONG DEVOS SUPPORTERS

22 State Governors, including:

Gov. Robert Bentley, Alabama; Doug Ducey, Arizona; Gov. Asa Hutchinson, Arkansas; Gov. Rick Scott, Florida; Gov. Bruce Rauner, Illinois; Gov. Eric Holcomb, Indiana; Gov. Sam Brownback, Kansas; Gov. Matthew Bevin, Kentucky; Gov. Paul LePage, Maine; Gov. Rick Snyder, Michigan; Gov. Phil Bryant, Mississippi.

Gov. Eric Greitens, Missouri; Gov. Doug Burgum, North Dakota; Gov. Pete Ricketts, Nebraska; Gov. Brian Sandoval, Nevada; Gov. Chris Christie, New Jersey; Gov. Susana Martinez, New Mexico; Gov. John Kasich, Ohio; Gov. Mary Fallin, Oklahoma; Gov. Bill Haslam, Tennessee; Gov. Greg Abbott, Texas; Gov. Scott Walker, Wisconsin.

Former Governors:

Jeb Bush; Mitt Romney; John Engler.

Four Former Education Secretaries:

William Bennett; Rod Paige; Margaret Spellings; Lamar Alexander.

Former Senators:

Joe Lieberman; Bill Frist.

Democrats including:

Eva Moskowitz, founder and CEO of Success; Academy Charter Schools; Anthony Williams, former Mayor of Washington, D.C.

EDEN: WHEN THE NEW YORK TIMES'S REPORTING ON DEVOS AND DETROIT CHARTERS LOOKS LIKE 'ALTERNATIVE FACTS'

(By Max Eden)

The campaign against Education Secretary-designate Betsy DeVos has been both predictable and extraordinary. It's no surprise that the education establishment was perturbed by the selection of a school choice advocate, and opposition from interest groups is to be expected.

But in an era when the president of the United States has declared a “running war” on the media, accusing reporters of distorting facts to attack him, the work of one education journalist unfortunately lends some credence to that argument.

Some critical coverage has been responsible and fair, but DeVos was sadly not “spinning” when she told the Senate that there's been a lot of “false news” about her record. The New York Times has been most conspicuous in this regard. The editorial angle of its national education correspondent Kate Zernike was clear from her first piece on the nominee, “Betsy DeVos, Trump's Education Pick, Has Steered Money From Public Schools.”

Liberal bias at the Times is less than a non-story; if anything, I'd argue a partisan press is healthy in a pluralistic democracy. But when America's “paper of record” makes verifiably false claims, they must be checked and corrected. Here are two significant ones.

In a front-page June article titled “A Sea of Charter Schools in Detroit Leaves Students Adrift,” the Times education correspondent asserts that “half the charters perform only as well, or worse than, Detroit's traditional public schools.”

That claim was echoed by a Times editorial and would be big, if true. DeVos was nominated based on her school choice advocacy. If that work helped foster charter schools that are worse than the worst-in-the-nation Detroit Public Schools, that would be profoundly troubling. But if Detroit's charters are better (even if not as much better as we'd desire), then it's a different story entirely.

Fortunately, they are better.

There are three key studies that compare Detroit's charter and district schools: one from Stanford University, one from the center-right Mackinac Center and one from Excellent Schools Detroit (ESD), a local education nonprofit. As Jason Bedrick, a policy analyst at the Cato Institute's Center for Educational Freedom, and I demonstrated in Education Next, all three show that charters significantly outperform district schools. Perplexed at how the Times reached the opposite conclusion, I reached out to Zernike.

Some critics assumed that Zernike was twisting data from the Stanford study, the presumptive source of district-to-charters comparisons. But Zernike informed me that

she chose to use the ESD study after contacting the Stanford study's author and determining that the data was too outdated for her purposes.

I asked why she chose the ESD data over the Mackinac Center's. Mackinac grades schools using a complex regression taking into account students' socioeconomic background. ESD grades on a combination of raw test scores, test-score growth and a school climate survey, but it doesn't consider socioeconomic status.

She explained that Mackinac is “a partisan group that is pro-school choice and anti-DPS. ESD, despite how GLEP [the DeVos-backed Great Lakes Education Project] will characterize it, supported charters and traditional public schools, and the measures seemed broader.”

When I told her that sounded more like political than methodological reasoning, she countered, “It's not politics, it's methodology. I think graduation rate was the only thing Mackinac used to compare,” and added that she thinks the ESD data “do break down for demographics.” Wrong and wrong.

Now, it's possible that she didn't simply default to the politically congenial option without further scrutiny. Perhaps she just failed to properly recall the details several months later. Whatever the case, the ESD data also show charters outperforming district schools.

So, how did the Times national education correspondent reach the opposite conclusion?

Now, bear with me, here because it's complicated and it makes no sense.

First she separated out K-8 district schools and high schools, calculating their respective average scores, weighted by student enrollment. She included high-performing selective-admissions district schools and excluded low-performing Detroit public schools that have been taken over by the state. (Neither decision is justifiable in a traditional-to-charters comparison.)

Then she saw that for both K-8 district schools and high schools, the (inflated) weighted average score was higher than the median charter school score, and concluded that “half the charters perform only as well, or worse than, Detroit's traditional public schools.”

On the high school side, the unweighted average score of .33 is significantly lower than the weighted average of .41. It's worth noting that the .41 is above the charter median score and the .33 is below it. So going by the weighted average was the only way to arrive at that result for high schools.

On the K-8 side, the weighted and unweighted averages are essentially equal. That average is indeed slightly higher than the median charter score, but it's much higher than the district's median score. So on K-8 schools, by her same faulty logic, it would also be accurate to say that “two thirds of the public schools perform only as well, or worse than, Detroit's traditional public schools.”

If that sounds silly, it's because comparing an average to a median is statistical nonsense. The “apples to oranges” metaphor is apt but insufficient here. Essentially, Zernike took a basket of apples, pulled out the rotten ones, kept the genetically modified ones, made statistically weighted applesauce, and plopped that applesauce in the middle of a row of organic oranges. Then she drew a false conclusion that's become central to the case against Betsy DeVos's nomination for secretary of education.

Personally, I doubt the mathematical mistakes were conscious or intentional. But what really matters is that the ESD, Mackinac and Stanford studies all show Detroit charters significantly outperforming traditional public schools.

The second claim also involves the Times's editorial against DeVos, in this case lamenting that she funded charter advocacy efforts, "winning legislative changes that have "reduced oversight and accountability." The editorial linked to a December article by Zernike covering a legislative debate on Detroit charter regulation wherein "Ms. DeVos pushed back on any regulation as too much regulation."

Whatever the rhetorical merit of that editorial claim, it is flat false. In a Detroit News op-ed, to which the article later links, DeVos called for two additional regulations: A-F school accountability grades and default closure for failing schools, both charter and district. She certainly pushed back on some regulations as too much. But the bill that passed included the additional accountability regulations for which she advocated. In fact, the final legislation boosted Michigan's accountability score on the National Alliance of Charter School Authorizers index.

Given the fact that the main subject of her article was a net increase in charter accountability, Zernike admits on Twitter that she's "not sure what the ed board meant by that," but notes that "MI legislation in 2011 (not June bill) did weaken oversight." Zernike's December article refers to the 2011 legislation in one passing sentence. Her June article noted that "the law repealed a long-standing requirement that the State Department of Education issue yearly reports monitoring charter school performance." While true, that provision didn't merit mention among the 12 key changes in the official legislative summary (five of which increased charter regulation).

It's possible that the Times's editorial was referring to that repealed reporting requirement from 2011 when it claimed that DeVos backed "legislative changes that have reduced oversight and accountability." But that seems unlikely, given that the editorial linked to Zernike's December article on the 2016 legislative debate and that piece doesn't even mention the 2011 provision. It seems more likely that the editors honestly confused an increase in accountability that was smaller than some stakeholders wanted with an actual, absolute reduction. And given the reporting they relied on, it would be hard to blame them.

Education blogger Alexander Russo has skillfully outlined the "problematic media coverage" of Betsy DeVos, in which journalists have latched onto hyper-simplified story lines while ignoring complexities and eschewing nuanced criticism.

Whatever your take on DeVos or the media, everyone loses when the line between fact and falsehood is blurred beyond distinction. At a time when the president's advisers proudly tout "alternative facts," critical, fact-based reporting is more necessary than ever, especially from outlets with the weight and influence of The New York Times. Their readers, and America's schoolchildren, deserve better. Correcting the record would be a good start.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I am on the floor today to stand with parents, students, teachers, families, and communities across our country to make sure they have a voice to strongly oppose Betsy DeVos and her plans to privatize public schools and destroy public education in America. I urge my colleagues to stand with their constituents and join Democrats and Republicans in rejecting this nomination.

I come to the floor as a former pre-school teacher, someone who got my

start in politics fighting for strong public schools, a former school board member, a Senator committed to standing strong for public education in America, and a mother and grandmother who cares deeply about the future of our students in our schools.

Like so many people across the country, I am someone who owes everything I have to a strong public education I received growing up in this country. I believe it is my responsibility to do everything I can to make sure the opportunities that were there for me and so many others are open to every student in this country, no matter where they live or how they learn or how much money their parents have. In general, I believe the Federal Government and specifically the Department of Education has an important role to play in making that happen.

I take the position of Secretary of Education very seriously. Leading this agency in this moment is a critical job. I consider it to be my job to do everything I can to make sure the person who fills it is truly committed to putting students and families first. As I will discuss in detail today and in the coming days, I do not believe Betsy DeVos is the right person to do that.

Before I get into Ms. DeVos's failed record and her lack of experience, I wish to make a point about how I approach nominees and how that impacts my perspective on this one.

Many of my colleagues on the other side of the aisle are going to spend their time in this debate trying to impugn the motives of Democrats and Republicans who are trying to stop this nomination. They will try to say that President Trump won the election and he should be able to pick anyone he wants to fill this position and that we should all sit down and be quiet. I reject that. I believe the Senate has an important role to play in this process. It is our constitutional duty to take these nominations seriously, and I refuse to stand by and just watch.

President Trump absolutely has the right to nominate people for his Cabinet who he thinks will carry out his vision for the country, but that does not mean the Senate should be a rubberstamp. To the contrary, we owe it to the people we represent to make sure every nominee is not only qualified for the position and free of conflicts of interest but that he or she will put families and workers first and not millionaires and billionaires or big corporations.

President Trump was the first Presidential candidate in decades to not release his tax returns, and he is openly flouting ethics conventions regarding his personal and family businesses.

I believe that in an administration where lines around potential conflicts of interest are very likely to be blurred at the top, they need to be even clearer at the individual agencies. So I will not apologize for demanding that the Senate do its job when it comes to doing our due diligence with these nominees.

I will not back down from asking my questions for my constituents—the ones they would want me to ask. I will not stop fighting as hard as I can to oppose a Secretary of Education who doesn't stand with them.

I am extremely disappointed at how this process has gone so far. I have great respect for the chairman of our committee, but I have never seen anything like it, especially coming out of our Health, Education, Labor, and Pensions Committee, where until now we have worked together across party lines so well. Right from the start, it was very clear that Republicans intended to jam this nominee through the process as quickly as possible. Corners were cut, precedents were ignored, debate was cut off, and reasonable requests and questions were blocked. Again, I have never seen anything like it on this committee, Democratic administration or Republican, Democratic majority or Republican. It has been truly frustrating and deeply disappointing.

I believe it is our job in the Senate to scrutinize nominees, but Republicans were acting like it was their job to protect Ms. DeVos, to shield her from questioning. First, Republicans rushed us into a hearing before we had Mrs. DeVos's ethics paperwork in. That might seem like a small thing, it may seem like a procedural issue, but it was important.

Every single nominee during the Obama administration had their ethics paperwork in before a hearing in our committee. The Republican majority leader made having ethics paperwork in before a hearing a core demand of his during the Obama administration. The reason for this is simple: Senators should be able to ask nominees questions about their finances, their potential conflicts of interest, how they plan to avoid them, and how they plan to uphold the letter and spirit of our ethics laws. But without the Office of Government Ethics financial disclosure and without their review, Senators go into a hearing in the dark on a nominee's ethics and finances, and that is exactly what we were pushed into with Mrs. DeVos.

Secondly, when we got into that hearing, we were told that Democrats would only have 5 minutes each to ask questions—5 minutes to ask about Betsy DeVos's finances, her long record of privatization of public education, her vision for this Department, and the many, many issues in this Department's jurisdiction—5 minutes and, then, cut off.

Now, this was completely unprecedented and absolutely wrong. Never before had it been the case in our committee—not a single time that I recall—that a Senator, who had a question for a nominee, was cut off and blocked from asking it. Democrats were sitting in the hearing, waiting, hoping the chairman would change his mind, but we were shut down and we

were silenced, and Mrs. DeVos was protected from answering additional questions.

Third, after we finally got Betsy DeVos's ethics paperwork and had a number of questions about it, I requested another hearing where we could ask her those questions. That was a reasonable request. It was rejected.

Fourth, I had a number of questions for Betsy DeVos about missing information in her paperwork to the committee, and she has simply not provided the committee with the required financial disclosures.

We have a strong tradition in our committee of not moving to vote until the ranking member's questions are answered to satisfaction, and that tradition was ignored as Betsy DeVos was jammed through.

Then, finally, after a vote was pushed through the committee as quickly as possible, with questions about rules being bent or ignored to get that done, this nomination is now being rushed to this floor, and Republicans are attempting to jam it through here as well. It is pretty clear to me why. The more people learn about Betsy DeVos, the more they realize how wrong she is for our students and our schools. The more they hear about her background, the more they see her as one more way President Trump has broken his promise to "drain the swamp." The more that comes out about her failed record, her tangled finances, conflicts of interest, and her lack of understanding or experience, the more the pressure increases on Republicans to put their allegiance to President Trump aside and stand with their constituents.

So I understand why some Republicans want to rush to get this through. I think it is absolutely wrong, and I know people are paying attention.

I want to make one final point on this. The chairman of our committee, the senior Senator from Tennessee, has brought up the idea of "fairness" when it comes to how we should approach this nomination—that he believes President Trump's nominees should be treated "fairly." But my friend, the senior Senator from Tennessee, is defining fairness in an interesting way. He is saying that, if Republicans didn't scrutinize President Obama's nominees and if they didn't take the time to do their due diligence, then, it would be unfair for Democrats to do that for President Trump's.

Well, I don't agree with that. I define fairness very differently. I believe the fair thing to do is what is fair for our constituents, that we work for them and should do right by them—not for a party, a nominee, or an administration. I believe the "fair" thing to do is to scrutinize these nominees, ask tough questions, and push for real answers, and that we should err on the side of deeper review and more robust questioning, rather than on the side of pointing to how Democrats and Republicans were treated in the past and "fairness" to nominees.

So I think it is clear that this nominee is being rushed through and corners are being cut.

I want to take some time now to talk about why I will be opposing her and urging all of our colleagues to do the same. I have three main reasons, and they are these: open questions about her tangled finances and potential conflicts of interest; strong concerns with her record, her lack of experience, and her clear lack of understanding of basic education issues; and the belief that her vision for education in America is deeply at odds with where parents, students, and families across the country want to go.

First of all, there is her tangled finances and potential conflicts of interest. I mentioned this a bit before. I have never seen a nominee with such tangled and opaque finances and who is refusing to shine anything close to an appropriate level of light on them.

Mrs. DeVos is a billionaire, and her inherited money is invested, along with other members of her family, in potentially hundreds of holding companies. Now, these holding companies often invest in other holding companies, and it is often very hard to untangle the individual companies in which she and her family actually own stakes. That is very relevant because we know her family has had significant education company holdings in the past, and they would be impacted by the decisions she made if confirmed.

Mrs. DeVos has told us that she will comply with all ethics rules should she be confirmed, but we still have questions, and she still has not fulfilled the committee requirements. We have questions about areas in Mrs. DeVos's ethics paperwork, where it is simply unclear if assets she continues to hold have potential conflicts of interest, and we have not been given the full answers.

We also want to know more from her about the family trusts she is maintaining positions in, and we have not been given the full answers.

Finally, as I mentioned before, I have raised a number of questions about Mrs. DeVos's failure to provide the required financial disclosure to the committee, and I have not been given full answers there either.

Secondly, I have very strong concerns with Betsy DeVos's record, her lack of experience, and her clear lack of understanding of basic education issues. I will take these one at a time.

Nominees for this position have generally been people who were committed to students, had a long career dedicated to education, and were focused on keeping public education strong for all students and all communities.

Betsy DeVos is very different.

First of all, she is first and foremost a Republican and conservative activist and megadonor. She was chair of the Michigan Republican Party, and she and her family have reportedly donated hundreds of millions of dollars to Republicans and conservative groups over the years.

Second of all, Betsy DeVos has spent her career and her fortune rigging the system to privatize and defund public education and hurt students in communities across our country. She has no experience with public schools, except through her work trying to tear them down.

She has committed herself for decades to an extreme ideological goal: to push students out of public schools and weaken public education, no matter what. She has spent millions of dollars in political donations, organizations, and super PACs to try and influence elections and policies to accomplish that goal.

It is not difficult to pick out where Betsy DeVos has focused. The signs are usually pretty easy to see. Where she has succeeded in getting her way, too often there are weaker public schools, worse outcomes, and fewer true opportunities for students.

In fact, the only people guaranteed to benefit when Betsy DeVos focuses her attention on a community or a State are the TV stations who see hundreds of thousands or millions of dollars in money pour into attack ads against her political opponents.

But all people need to do is watch her hearing in our committee, and they can learn everything they need to know. This is a hearing that people across the country heard about—and for good reason. From local newspapers to local news to the "Daily Show" to "The View" and posts that went viral on social media, a whole lot of people heard Betsy DeVos herself for the first time in that hearing, and they were not impressed, to put it mildly. They watched as Democrats were blocked from asking questions in an unprecedented and disappointing attempt to protect this nominee. Then, on the questions we were allowed to ask, they saw a nominee who was clearly ill-informed and confused and gave a number of very concerning responses to serious and reasonable questions.

Let's go through what Betsy DeVos said to us. She refused to rule out slashing investments in or privatizing public schools—privatizing public schools.

She was confused that Federal law provides protections for students with disabilities.

She did not understand a basic issue in education policy—the debate surrounding whether students should be measured based on their proficiency or their growth.

She argued that guns needed to be allowed in schools across the country to "protect from grizzlies."

Even though she was willing to say President Trump's behavior towards women should be considered sexual assault, she would not commit to actually enforcing Federal laws protecting women and girls in our schools.

Her hearing was such a disaster, and it was so clear how little she understood about education issues, that a

number of people and groups who usually stay on the fence—or even sometimes stand with Mrs. DeVos on some issues—could not stand with her anymore.

Parents watching across the country saw a nominee who doesn't seem to care about or understand the education issues that impact them and their kids.

This takes me to my final point right now on Betsy DeVos. Her vision for education in America is one that is deeply at odds with where parents and students and families across the country want us to go. At a time when education and the opportunity it affords is more important than ever, she would take our country in the absolute wrong direction.

Eli Broad, a philanthropist and a strong charter school advocate, put it very well when he said: "At the risk of stating the obvious, we must have a Secretary of Education who believes in public education and the need to keep public schools public."

He went on to say: "With Betsy DeVos at the helm of the U.S. Department of Education, much of the good work that has been accomplished to improve public education for all of America's children could be undone."

I completely agree. Parents across the country want their government and their representatives fighting tooth and nail to improve public schools for all students in every community, while Betsy DeVos is committed to privatizing public schools and diverting public funds into taxpayer-funded vouchers that will leave far too many of our students behind.

I will add that I have many friends here in the Senate representing rural States that will be severely impacted by a Secretary of Education who implemented a radical agenda like this.

The bottom line is that strong public education is at the heart of true opportunity in America—something we all strive for and work for every day. People understand that. They see that Betsy DeVos's vision for this job is a direct attack on that core national value.

I truly believe this is what has motivated so many people around the country to stand up and speak out. They saw her disastrous hearing on the news and going viral on social media. It is clear that people across the country care so deeply about education and are so passionate about making sure we have strong public schools that seeing President Trump nominate someone like Betsy DeVos to run this Department just hits very close to home to a whole lot of people, and it is so deeply offensive to them. For parents of students in our public schools, it is very hard to see a billionaire—who never went to public school, who didn't send her children to public school—put in a position to work against your interests.

For teachers who work so hard every day in our public schools, it is hard to see your work denigrated.

For so many others in communities across the country, something about Betsy DeVos has lit a fire underneath them, as well, and they have all decided to do something about it. Senate office phone lines have been shut down over the past week with so many callers weighing in against Betsy DeVos. Every office is receiving tens of thousands of letters asking the Senate to reject her. Almost 40,000 have come in to my office alone. Millions of people have signed petitions with the same message. There have been rallies and protests across the country and millions more posting on Facebook, sharing it with their friends, tweeting, and doing everything they can to make their voices heard.

I wish to share just a sample of what I have heard from my constituents.

One teacher from Mukilteo School District, a 26-year veteran of Washington State public schools, said she has worked tirelessly at title I elementary schools to help children achieve their greatest potential. If DeVos is confirmed, this teacher is terrified her school will lose its funding.

Another constituent of mine from Federal Way tells me she has grandchildren in Michigan who are at risk because of Mrs. DeVos's reckless policies there, and she does not want to see this disaster repeated throughout our country.

The regional superintendent in Wenatchee, a small city in North Central Washington, told me that he and his colleagues didn't even know where to begin laying out their concerns about Betsy DeVos.

A fourth grade teacher from Spokane, WA, reached out to tell me she watched the confirmation hearing and was shocked at how little Betsy DeVos seemed to understand about the issues she faces every single day in her classroom.

Those are just a few examples. There are thousands upon thousands in every community, in every State, and it is having an impact. Every Member of this body has felt the pressure. Already, two Republicans have made it clear that the voices of their constituents have pushed them into the "no" column, and I know there are other Republicans who take seriously what their constituents have to say and who have serious concerns about putting partisanship ahead of their States' and their constituents' interests.

I don't like that we are rushing into this without the information we need. But if the majority is going to jam this through, we are going to do everything we can to have a robust debate over the next few days.

So I am here to say: I am proud to stand with parents; I am proud to stand with students; I am proud to stand with teachers; I am proud to stand with those in my home State of Washington and across the country who support strong public schools and true education opportunities for all; and I am proud to stand up and fight back against Betsy DeVos.

Madam President, I yield the floor.

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

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

NOMINATION OF NEIL GORSUCH

Mr. LANKFORD. Madam President, I rise to talk about what is going on in the Senate right now and the work that is done. It is early in the morning right now. It is 8 a.m. In Senate time, we have already done a series of votes that started at 6:30 this morning to be able to work through some of the nominations, and we have a great deal of work to be done.

In the middle of the work that we are taking on right now, there is a lot of conversation about personnel. As you know well, the Senate is in the personnel business as much as we are in the legislative business, especially at the beginning of a Presidential term. One of the biggest decisions that we will make in the Senate will be the Supreme Court.

Americans voted last year, in great measure, about the Supreme Court—in the direction of the Supreme Court. President Trump put out a list of 21 individuals he said he would choose from so the American people would be fully aware that this is the type of individual he would go after, and you can look at any of these to be able to evaluate it.

As I looked through that list of 21, one name stuck out to me. It is the name Neil Gorsuch, who is from Oklahoma, as many people in this Chamber know. Neil Gorsuch represents the Tenth Circuit. He served on that circuit with great distinction, which includes Oklahoma. We have been able to see his work in what has happened on the bench, the opinions he has put out and the consistency, how he has been respected by individuals on both sides of the aisle throughout Oklahoma and across the Tenth Circuit.

Neil Gorsuch went onto the bench in 2006. He was put on the bench by President Bush. What is interesting is this body, when they debated Neil Gorsuch in 2006, unanimously approved him with a voice vote. Not a single Senator opposed Neil Gorsuch when he went onto that Tenth Circuit bench in 2006. That means at that time Senator Barack Obama supported him. Senator Hillary Clinton supported him. Senator Joe Biden supported him. Senator CHUCK SCHUMER supported him in 2006. All these individuals looked at who he was, what he was about, and supported him going on the Tenth Circuit bench.

What has he done since that time? He has been a remarkable judge. He has advocated for something very clearly; that is, the role of each branch of government and each branch of government doing its job and only its job. He