

What a contrast with the way the Democrats are now treating our colleague's own nomination now. They are looking to waste even more time for its own sake today. It has been unfortunate to hear the attacks that some on the far left have directed at our friend over the past few weeks, but I am pleased the American people have had the opportunity to learn the truth about Senator SESSIONS and to see for themselves how qualified he is to lead the Justice Department.

We can expect that Senator SESSIONS in his new role will continue fighting to protect the rights and freedoms of all Americans as he also defends the safety and security of our Nation.

Tomorrow I will have more to say about Senator SESSIONS and the impact that he has had on each of us here in the Senate, but for now, I would encourage colleagues to finally come together and show him and each of the remaining nominees the fair consideration they deserve.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. SCHUMER. Mr. President, I just listened to my friend the majority leader and the majority whip on the floor. They are able legislators, but they are sort of misleading the public as to our motivation. They have tried to paint every Democratic request as leftover resentment from the election. "Sour grapes" the majority leader said a few weeks ago. They can say it day after day after day, but it will never be true.

All we Democrats are insisting on is careful, careful consideration of nominees who we believe almost universally are below par. These nominees are going to have a tremendous effect on the American people.

Every mother and father in America should worry about Betsy DeVos's lack of dedication and almost negative feelings about public education. She heaps abuse on public education. Ninety percent of our children are in public schools. Of course, there should be discussion about it. She shouldn't be the nominee.

Yes, I understand, our colleagues on the other side of the aisle, there is a new President. My guess is, if we went in their cloakroom and heard their whispers, our Republican colleagues would say: I wish he could have come up with someone else.

Betsy DeVos is the negative trifecta. She is negative on competence. She doesn't even understand the basic aspects of education. She is negative on philosophy. She disdains public education, where 90 percent of our kids are. She is negative on ethics. Her con-

flicts of interest are legion, and she hasn't, unlike some other of the Cabinet nominees, tried to erase them.

So of course there should be a tremendous amount of discussion. Of course Democrats ought to bring to light who Betsy DeVos is. So when she does her acts as Secretary, when she does things that hurt public education as Secretary, the American people know what is happening and can stand up against it.

I have to tell my colleagues, it is not Democrats who are bitter about the election; it is the American people who are bitter about the nomination of Betsy DeVos, and that is why millions and millions of calls—almost unprecedented on a Cabinet nomination—have poured into this Capitol, into Democratic and Republican offices alike. The distinguished chairman of this committee—who is a dear friend; I have such respect and admiration for him, and we have spent time together socially—was put in the awkward position of having to rush through a nominee, 5 minutes of questions, that is it, for each Senator; 5 minutes at night, no second rounds. There was no rationale for that, other than he was afraid of what she would say or might not say. Sure enough, when she testified, those fears were actualized because Betsy DeVos couldn't answer the most fundamental questions about public education.

She couldn't get her paperwork in on time. What kind of nominee is that? How is someone who is going to run the Department of Education, with tens of thousands of employees, unable to get her paperwork submitted in enough time to clear the ethics organizations? How was she unable to get her paperwork in on time? Every nominee of President Obama's did, and we didn't hear from them until they did.

The rush; a few extra days, some hours last night so we might examine a nominee who has tremendous power over the future of millions of American kids and their families—oh, no. If anything, we should be spending more time on Betsy DeVos, not less. What should be happening is she should go back for a second hearing now that her paperwork is in. What should happen is she should be asked more questions because she was so unable to answer so many rudiments last time. What should happen is, there should be more time, not less, on debating this nominee, not because we want to be dilatory but because we want a nominee who at least meets some basic tests, and she does not.

That is why every Democrat will be voting against her, and two Republicans, who showed tremendous courage. Again, I have been around here a while. I know the pressures. That is why I have such respect for the Senators from Alaska and Maine who voted against Betsy DeVos not for political considerations, not in frustration that they lost the election but because they knew how bad she would be

for public education because their States are largely rural. In rural America, there is not much choice, which has been Betsy DeVos's watchword, although the charter schools she set up have been, by and large, a failure. They don't have that choice. So someone who decries public education, who disdains public education, is not good for their State and, I would dare say, is not good for the States of a lot of Senators on the other side of the aisle who feel compelled—that party loyalty—to vote for her. In fact, when we talk about parties demanding things, it is the Republican side demanding a vote for an unqualified candidate, not the Democrats delaying the vote.

I hope against hope that another Republican will have the courage of the Senators from Alaska and Maine and join us. Then what can happen is the President will get to make the nomination. We Democrats are not going to pick the Secretary of Education, but it will be a qualified nominee because they will have learned their lesson at the White House that they can't brush through these nominations with such little vetting.

NOMINATION OF JEFF SESSIONS

Mr. President, now I would like to say a word—we will be saying more later—on Senator SESSIONS, who will be coming forward after we vote on Mrs. DeVos at noon today.

The nominee for Attorney General has huge importance—far greater importance than the nominee would have had 3 or 4 weeks ago. We need a lot of discussion on that. What we have seen is a President who belittles judges when they don't agree with him. What we have seen is a President who is willing to shake the roots of the Constitution and a fundamental premise—no religious test—that is embodied within our Constitution within his first few weeks in office.

We certainly need an Attorney General who will stand up to the President. We have seen other Attorneys General do it, most notably in the Clinton administration. Senator SESSIONS—I ride with him on the bike in the gym—is not—if you can say one thing about him, he is not independent of Donald Trump.

He supported Donald Trump from the very beginning. Even when Donald Trump didn't look like he was going to be much of a candidate, if you had to pick someone who would not stand up to a President when the President goes too far—well, let's put it the other way. If you had to pick someone who would stand up to a President when the President goes too far on picking on the judiciary, on avoiding the tenants, breaking the tenants of the Constitution, whatever the legal case shows, you wouldn't pick JEFF SESSIONS.

His record is clearly troubling. We will hear a lot more about it later. He is probably the most anti-immigrant Member of this body, Democrat or Republican. And many of us on this side believe that immigrants are an asset to

America, not a liability. Many on the other side of the aisle probably do too. When it comes to voting rights—so important, so fundamental, and under attack right now—again, JEFF SESSIONS has not been a stalwart. He has had a record that leaves much, much to be desired. On the issue of civil rights as well, Senator SESSIONS' record is not a record that I think anyone who believes in civil rights could admire.

We just had an acting Attorney General stand up to the President. That is going to be a real test in this administration because there seems so little regard for an independent judiciary and even for the Constitution itself. That is probably the most important quality of this new Attorney General. I have to say, as much as I agree with JEFF SESSIONS on an issue like trade, he is the wrong, wrong, wrong choice for Attorney General. He would be at any time because of his record on immigration, civil rights, and voting rights, but particularly wrong now because we need someone who has some degree of independence from the President.

I am going to yield the floor. I hope one of our Republican colleagues will step up to the plate in a few hours, but even if they don't, we Democrats are very proud of what we have done here because the nominee is so unqualified and the American people now know it. That is an important tenet of this democracy, for the public to understand who is running the government.

I hope my colleagues will listen to our arguments for the sake of America—not for any partisan sake—about the Attorney General in these very troubled times when it comes to the independent judiciary and the Constitution of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, let me first of all begin by thanking Senator MURRAY for her leadership in terms of leading us to scrutinize this nominee, Betsy DeVos. It seems to me the more we dig into this, the more we look at it, the worse it gets. So I rise in strong opposition to the confirmation of Betsy DeVos as Secretary of Education.

Mrs. DeVos is nominated to lead our Nation's public education system. Yet she has worked for decades to privatize it and even to create profitmaking centers. She wants to siphon public funds to private schools. She has led a multi-million-dollar lobbying campaign to fund private, religious, and for-profit schools with public education dollars.

We can all agree that we want our Nation's schools to be the very best they can be. We want our children to have all the opportunities we can provide, but that really is the issue. That is why Democrats have held the floor all night long to do everything in our power to convince the Senate to reject this nomination.

I believe in the public school system. I want all of our children to have opportunities. That is the fundamental

principle of our American school system. Everyone should be able to get a great education.

Mrs. DeVos wants to dismantle our public schools. She would drain resources from the children and teachers who need it the most. I can't say it strongly enough: A vote for Mrs. DeVos is a vote to destroy our public school system. My constituents agree. We have received over 63,000 emails and over 2,000 telephone calls in the last month alone opposing this nomination. These are recordbreaking numbers from my office for a Cabinet nominee. Many of those calls and letters are from public school parents and teachers, men and women who are dedicated to our students and our public education system. They understand that Betsy DeVos is not qualified to lead our Nation's public education system.

Betsy DeVos is the first nominee in history for Secretary of Education with no experience in education or public administration. She is not a teacher. She is not a school administrator. She didn't attend public schools. Her children didn't attend public schools. She has never held a government position, let alone one in education. In fact, she has open disdain for government.

Mrs. DeVos's complete lack of experience and profound lack of understanding of education policy were on full display during her confirmation hearing. Under questioning, it was clear that Mrs. DeVos was completely uninformed about the ongoing debate in education policy between proficiency and growth. This issue is critical. It is well documented that there is a correlation between test scores and students' socioeconomic status and race. So evaluating schools based on average test scores tends to penalize schools with large numbers of low-income and racial minority students. Even if those schools produce significant student growth on math and reading test scores, proficiency or growth is one of the most basic education policy questions, and yet the President's nominee for Secretary of Education doesn't understand the issue. Maybe this is because she has been single-mindedly focused on feeding private, for-profit charter schools with public dollars and the religious and other private schools through vouchers. So her knowledge about education is limited to her pet issue.

Valerie Siow, who has taught in public schools in New Mexico for 13 years, observed that Mrs. DeVos "had not bothered to do her homework" for the hearing. It is clear that Mrs. DeVos does not have the breadth or depth in education policy or finance to be the Secretary of Education.

Senator HASSAN has a son who has cerebral palsy. She told us a moving story about the good education he received in the New Hampshire public schools, despite his disability, because of the Individuals with Disabilities Education Act, or the IDEA.

Senator HASSAN asked if Mrs. DeVos would require schools using vouchers to comply with that law. Mrs. DeVos initially responded that she believes the decision should be left to the States. When Mrs. DeVos was informed that it is Federal law, that it is not up to the States, she responded that she must have been "confused." Confused? Mrs. DeVos bragged that she has been an education advocate for 30 years. The IDEA was passed over 25 years ago, in 1990. Mrs. DeVos was not "confused." She plainly did not know what the Individuals with Disabilities Education Act is.

It is very disturbing that she appears not to know how public schools educate and accommodate kids with special needs. Does she not know what an individual education plan is? She didn't know, as she said in a hearing to be Secretary of Education, that the millions of public school children with disabilities have a Federal right to a free and appropriate education.

It is just as troublesome that Mrs. DeVos did not know that children with disabilities can lose their Federal right to an equal education under State voucher programs—voucher programs she has spent years advocating for. She did not know that voucher programs can require students with disabilities to sign away their IDEA rights. Most troubling of all, she would not commit to making sure voucher programs comply with the law.

I am also quite concerned that Mrs. DeVos fails to appreciate the important role that tribal cultures play in educating Native American children. This Nation has a solemn trust and treaty responsibility to provide quality education to Native students, both through the public school system and the Federal Bureau of Indian Education. Her testimony has proven that she is uneducated about these students as well.

Many States have significant tribal populations. In my home State of New Mexico it is about 10 percent. As vice chair of the Indian Affairs Committee, my job is to make sure that any Education Secretary is committed to respecting tribal sovereignty and self-determination. Mrs. DeVos has given me no assurance she understands, cares about, or is prepared to address the needs of Native American students. Nothing in her hearing or written answers convinced me that she will respect tribal cultures, tribal sovereignty, or the right to self-determination. In fact, her lobby organization, American Federation for Children, supports the expansion of vouchers into Indian Country, diverting money from tribal schools to private schools. I cannot support taking money away from schools run by tribes and losing self-determination efforts tribes are making.

The National Indian Education Association has said: "Federal funding should not be moving over to a private school system . . . move out of our

tribally-run school system and to a system that does not require consultation and does not require active engagement of Native communities.” I couldn’t agree more. She just shows a basic lack of understanding of tribal sovereignty and self-determination.

Betsy DeVos seems to be driven by her personal religious views. I respect the strength of her Dutch Calvinist religious beliefs, but imposing her religious beliefs should have no place in funding public education, which serves children of all beliefs.

In 2001, she talked about whether Christian schools should continue relying on contributions instead of vouchers. Mrs. DeVos said:

There are not enough philanthropic dollars in America to fund what is currently the need in education. . . . Our desire is to confront the culture in ways that will continue to advance God’s kingdom.

I support her right to devote her philanthropic dollars to her church and other religious efforts, but I oppose her view of using public dollars to advance her view of “God’s kingdom” in public schools. Separation of church and State is a fundamental principal in our democracy to protect people and communities from religious coercion by the government. I am concerned that Mrs. DeVos does not have the necessary respect for other people’s religious beliefs and that her policies could disregard the importance of tribal perspectives on education.

We need assurance that every public school student—no matter their religion, race, ethnicity, sexual orientation or identity, ability or disability—will be respected, protected, and included at the highest levels in Washington, DC. That is the job of the Secretary of Education. Mrs. DeVos has not shown over the many decades she has lobbied on education that she agrees with this basic proposition.

I support making good, quality public school options available. There are many great public charter and magnet schools around the country. We have some good ones in New Mexico. But these public schools should meet the same accountability standards as other public schools—standards for student achievement, teacher performance, and fiscal responsibility.

I also support the option of private and religious schools. We have great private and religious schools in our country. But public dollars must go to public schools, not private or religious schools, and certainly not private for-profit schools. The first objective of any for-profit venture is to make money. That cannot be the first objective of a school using public funds.

The first and foremost objective of public education funds should be education for students. When public dollars are used, their use must be fully accountable and transparent to the public. Betsy DeVos would not commit that private for-profit charter schools and voucher schools should have the same accountability standards as pub-

lic schools. Why didn’t she make this commitment? Likely, because the private charter schools in Michigan, funded by public dollars—that she has championed for decades—do not have to meet the same accountability standards as public schools. This is wrong. These same schools—her work for decades—have not shown appreciable gains in Michigan over the years. In fact, Michigan test scores have gone down over time. These schools have not shown significant improvement over public schools in Michigan.

Finally, I am not convinced that Mrs. DeVos has been transparent in her responses to the American public. She did not make her disclosures available to the Health, Education, Labor, and Pensions Committee at the time of her confirmation hearing—this is unprecedented—and the committee had no opportunity to look into her many, many financial conflicts.

Since then, she has entered into an agreement with the Office of Government Ethics. While she will divest from approximately 100 investments that pose a conflict, we do not know if she has divested from all conflicts. Mrs. DeVos benefits from three trusts. She has not disclosed the assets in two of those trusts.

The complexity and enormity of Mrs. DeVos’s \$5 billion holdings is mind-boggling. We know that from one trust at least 100 conflicts required divestment. Without transparency in other trusts, the public does not know if she has any more conflicts.

I also want to raise the issue of Mrs. DeVos’s unwillingness to address her PAC’s unpaid \$5.3 million fine in the State of Ohio for violating campaign finance laws.

This situation is troubling on a number of levels. First, Mrs. DeVos led a multimillion dollar political effort to influence elections throughout our Nation. Second, while doing so, Mrs. DeVos’s political action committee willfully ignored campaign finance laws and warnings from State election officials. She racked up an unprecedented \$5.3 million fine in Ohio. Then, third, rather than acknowledging that she broke the law and owing up to her responsibility to pay it, her PAC simply folded up shop and walked away.

As Secretary of Education, Mrs. DeVos will be responsible for overseeing college loans for millions of students. Yet she refuses to acknowledge or pay her own debts. Does she believe the law doesn’t apply to her?

I have written to Mrs. DeVos and the HELP Committee several times demanding answers about this. Her responses were evasive. She refuses to pay the fine—hiding behind the corporate veil—while still paying lawyers to fight it. This is hypocrisy, on top of disregard for the law.

We have never had a Cabinet nominee, who led a dark money PAC, which broke the law and flouted the judicial system. This is absolutely, totally, unprecedented.

For all these reasons, I must vote no on the confirmation of Mrs. DeVos as Secretary of the Department of Education.

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. BROWN. 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. BROWN. Mr. President, it is pretty clear. It is pretty simple. There never has been a nominee for Secretary of Education as unqualified as Betsy DeVos. That is clear to pretty much every Member of this body—not that every Member of this body is going to stand up and vote the way that probably their conscience suggests they do. Whether they like her ideology or not, whether they like the hundreds of millions of dollars they have contributed to all kinds of political campaigns or not, they clearly understand that this nominee, from her performance and her lack of depth of knowledge of education, is simply not qualified.

As many have said on this floor, based on her confirmation hearing, it appears she has a complete lack of knowledge as to what the Department of Education actually does. She didn’t seem to understand the Individuals with Disabilities Education Act, which requires public schools to provide free and appropriate education to all students with disabilities.

I think that when I first ran for Congress some years ago—I assume it was the same for the Presiding Officer; I know it was the same for the ranking member from Washington State who sits here in this Chamber and who has led the opposition to Betsy DeVos—from my first days in Congress, every time I met with school boards, every time I met with teachers, every time I met with school administrators, with principals, they would talk to me about IDEA. They would talk to me about school districts and the costs and their obligation and duty and desire to serve these students. Yet the designee for Secretary of Education put her hands up when there were discussions in the committee on the Individuals with Disabilities Education Act.

It is astonishing that a nominee for Secretary of Education would demonstrate complete ignorance on something as crucial and important to public school education—to education as a whole—on this. It isn’t her hearing performance alone that should disqualify her; it is her record. She has no experience with public schools at all.

The President of the United States has nominated for Secretary of Education someone with no experience in public schools at all—not as a teacher, not as an administrator, not as a student, not even as a parent. Nothing. Her only experience in education is as

a wealthy donor inheriting tens of millions of dollars herself. Her only experience in education is as a wealthy donor who spent millions of dollars advocating for for-profit—not charter schools like KIPP and Breakthrough in my State but for-profit charters in her State, the same policy that has ripped off taxpayers and failed students in Ohio. It betrays students, and it undermines and fleeces taxpayers.

It is obvious that if she and her family hadn't donated \$200 million to Republicans and to conservative causes, there is no chance someone this unqualified would ever have been nominated for a position as exalted, as crucial, as important as Secretary of Education. Two hundred million dollars apparently is the price for the Cabinet slot.

So much for the President's campaign promise of draining the swamp. We see nominee after nominee, appointee after appointee coming from Wall Street. Now we see a \$200 million contributor has also earned a Cabinet slot.

Because of her crusade, more than 80 percent of Michigan's charter schools are operated for profit. She helped design one of the least effective charter school systems in the country in Detroit. This matters to me because I know a lot about what has happened with for-profit charter schools in Ohio. For-profit charters have failed in Ohio. They have led to a charter school sector. Again, taking out KIPP and Breakthrough and the good charters that we have seen in Ohio, we have seen a charter school sector that has wasted taxpayers' money, that has funneled it to unaccountable for-profit companies, and that have been plagued by scandal after scandal.

I take that personally in Ohio because I know how students have been betrayed by this for-profit sector, I know how taxpayers have been fleeced in my State in this for-profit sector, and I know the devastation it leaves behind in less money, fewer dollars for public schools.

People call my State, regrettably, the "Wild Wild West of charter schools." What a name to earn—Ohio is the "Wild Wild West" of for-profit charter schools. Students suffer as a result. Students in public schools, students in for-profit charter schools, and students in not-for-profit charter schools suffer as a result. The last thing we need to do is take the Wild Wild West model in Ohio or, even worse, the for-profit charter school structure and model in Michigan and replicate it at a national level.

This is important to remember: Of all the K-12 students in the country, public schools educate 90 percent of them, 90 percent of the students in this country. Betsy DeVos called traditional public education a "dead end." Dead end for whom? She called traditional public education a "dead end."

Think of what we have done in this country. From 1789, when George Wash-

ington took the oath of office, up until now, public education has built this country. It has given all kinds of people opportunity, given all kinds of people a chance to get ahead. It has educated our children. We should be proud of our public school system.

We may confirm in the vote today a nominee who called a traditional public education a "dead end," someone who has never worked in a public school, never gone to a public school, never been a parent of somebody in a public school.

She said she doesn't think that all schools that receive taxpayer dollars—whether they are public or for-profit charter—should be held to the same standards of accountability.

To me, one of the most telling moments of the committee hearing was when she would not commit to the same accountability standards for for-profit charters as she did for public schools. Do you know why? Because she knows her for-profit charters that she is so proud of don't live up to the same standards and that they are simply not as good. That is why she doesn't want accountability measures applied equally to for-profit charters and public education.

In Michigan, she fought a rescue plan for Detroit Public Schools that would have finally provided accountability for charters schools. No. She is against that. Why have lower standards for for-profit charters schools? Maybe that is because—I don't know about her investments. I don't think she has disclosed everything to the committee, but neither did Secretary-Designee Mnuchin. Neither did Secretary-Designee PRICE. I can go on and on. She doesn't want the same accountability for profit charters because it might hurt some of her investor friends.

She funneled \$25,000—mostly inherited money—every day to legislators of Michigan until this accountability proposal was defeated. It was probably not \$25,000 every day, but over time it averaged \$25,000 a day to legislators in Michigan so she could have her way. Talk about draining the swamp. Yet she can't seem to come up with—this I take personally too—the \$5 million she owes to Ohio taxpayers for violating State election laws. What is that about? She came into Ohio with a political action committee that she mostly funded and that she was involved in in a number of ways.

The Ohio Elections Commission and Ohio officials in a nonpartisan way found her guilty of campaign finance law violation. This committee was assessed a \$5 million fine. Guess what. She quit putting money in this committee because she didn't want it to be subject to the fine. Our attorney general has not gone after her. He wants to be Governor, and he is a member of her party. I don't know their relationship or much care, but she is depriving our State of \$5 million that she owes through this committee. Legally, she has found a way, with very expensive

lawyers, to weasel out of it, to navigate her way through it.

The fact is, by any standards of decency, she owes my State \$5 million. That could be 60 or 70 or 80 teachers. She cares about education. Paying a \$5 million fine is probably like me paying 50 bucks. She is a billionaire, and \$5 million won't break her. She will hardly notice it. But she is going to be in charge of the Department of Education, which collects student loan debt from people coming out of school making \$30 or \$40 or \$50,000 a year, burdened with tens of thousands in student loan debt and struggling every month to make those payments. Yet she owes \$5 million, and she just says: Sorry, I am not going to pay it.

Through this confirmation process, she will not even pay the debt of \$5 million. Are my colleagues on the Republican side of the aisle saying it is OK to nominate her and confirm her even though she owes this money to my State? She sent us a letter finally last week because I asked her to explain herself in the promise to repay taxpayers in my State.

She sent us a letter last week again refusing to take any personal responsibility for the legal action of this political action committee she founded. She chaired it at the time it broke the law, she paid the legal bills for it, but she wouldn't pay the fine that this committee owes, saying: I don't owe it.

Is that who you want? Is that the kind of person you want in terms of personal integrity, personal responsibility? I don't know how many times I have been preached at in this body by my colleagues on personal responsibility. But she will not pay her \$5 million debt. Again, she founded a political action committee. She chaired it at the time she broke the law. She paid the legal fees for it, but she will not pay the money she owes that could hire 60, 70, 80 teachers in my State.

She spent millions pushing the same for-profit education model agenda that has ripped off Ohio taxpayers and shortchanged our students.

Most people in this country used to think that billionaires are not above the law. In fact, some people—3 million fewer than voted for the other candidate—some people voted for this President because he said he would drain the swamp. If billionaires are, in fact, above the law—if we are not holding Betsy DeVos accountable, it is hard to argue that billionaires are not above the law.

She is opposed by the disability community. She is opposed by the civil rights community. She is opposed by a number of people in the more legitimate charter school community. She is opposed by teachers. Even the National Association of Principals has come out against her nomination. If Senator MURRAY's words are correct about this—and I know they are because we have talked to them—this is the first time in history that the National Association of Principals has come out against a Secretary of Education.

I can't support Betsy DeVos because I can't look Ohio's parents in the eye and tell them she will not put profits ahead of their children's education. Our children deserve better than that.

In closing, I will come back to my comments about the Individuals with Disabilities Education Act, about which she knew nothing or knew little. I think how could a Secretary of Education-designate, who prides herself on knowing a lot about education, how could she not know much about IDEA? And then it occurred to me. If you are running a for-profit charter school, you don't want disabled kids coming to your school. Why? Because it costs more to educate a disabled child than it does a child without any disabilities. It costs more because you might need more use of a nurse, a student aide, wheelchair accessibility, you might need special tutors. It costs more to educate a disabled child. A for-profit charter school doesn't want children with disabilities to walk through their doors or come in through a wheelchair through their doors. They can't make as much money.

This is how we do privatization in this country: Let the public schools take care of the disabled, the child with disabilities, because we are in this for profit. It is a little bit like Medicare. The private for-profit insurance companies want the youngest, healthiest people in Medicare, the 65- and 70-year-olds who are active, who take walks, do all that. They don't really want the sickest and the oldest. Let taxpayers pay for them. That is exactly what her model of education is all about. Let the for-profit charters skim the cream, if you will; take the children who cost the least and are easiest to educate, but the public schools take care of the children with disabilities.

Let the public schools take care of the children who maybe didn't have as much advantage in life as Betsy DeVos growing up. Let the public schools worry about the kids who might be a little more difficult because of discipline and other issues and what is going on in their homes. That is pretty clear how she looks at the world and looks at this job and, most importantly, how she looks at education in our country.

That is what disturbs me. That is fundamentally why I oppose Betsy DeVos and plan to vote emphatically today, no.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I thank the Senator from Ohio for his passionate remarks on this topic. I have had the opportunity over most of Friday and over the last 23 hours, to listen to my colleagues come to the floor and speak passionately about an issue they care about, speaking against DeVos. We heard very little passionate speaking for Betsy DeVos, but we heard a tremendous amount of passion against.

I want to thank the Senator from Ohio, in particular, speaking to the issue of the fact that Mrs. DeVos does owe a fine to Ohio that has not been paid. I find it incredulous that we are just dismissing that here and the Senators are voting for her.

The Senator from Ohio spoke passionately about what vouchers would mean for students with disabilities, and their ability to get a good education could be in jeopardy over the vision that this Secretary is about to put forward.

A few moments ago, I listened to the Senator from New Mexico speak about our tribal schools and the fact that this Secretary of Education has no knowledge of tribal education and her role in being in charge of that with no experience and no idea of what that means or how that will be enacted.

Again, I want to just say that we heard from so many people in our States because we clearly have a nominee to run the Department of Education with no experience and a background that is really in opposition to what most of us have stood up for and fought for most of our lives. I have mentioned throughout this debate—as I have spoken numerous times about the tremendous amount of letters that have come to me through our mail over the last several weeks since this nominee came before our committee and the public had a chance to see Mrs. DeVos at our hearing, without the knowledge she needs to lead this agency, with the tremendous conflicts of interest that were portrayed over and over.

I want to again go back and read some of those letters as we get into the last hour of this debate because I think they are quite telling.

I have one from Dr. Jennifer Kay Lynn of Olympia, WA. She says to me:

Thank you for your understanding Betsy DeVos would devastate U.S. public education. Betsy DeVos's Senate confirmation hearing underscored how unprepared she is to serve as America's Secretary of Education. Mrs. DeVos has no experience in public schools, either as a student, an educator, administrator or even as a parent. Mrs. DeVos doesn't understand key policy issues, like proficiency versus growth, or the Federal role of the Individuals with Disabilities Act.

Mrs. DeVos would not even commit to upholding current guidance on preventing sexual assault under title IX. Mrs. DeVos has no idea of how the arts and public education are critical for human development, education. All of the arts help our students grow emotionally, with dedication to task or more and more connections with the brain, and perhaps, most importantly, find out how much the arts enhance their lives. We need a Secretary of Education who will champion innovative strategies that we know how to improve success for all students, including creating more opportunities and equity for all.

Betsy DeVos is not that person, and I urge you to vote against her for Secretary of Education.

Those aren't my words. I didn't talk to Jennifer Lynn. She wrote to me because she saw this candidate come before our committee. She has looked at her record and has said: This is not what our country is about.

I got a letter from Jamie Michaelson of Oroville, WA, very small community.

Senator Murray, as a public school administrator, I am extremely concerned about Betsy DeVos' lack of knowledge and support for public schools. Having never been a teacher or administrator is bothersome enough, but to have not attended a public school herself, nor sent her kids to one, makes her ill-equipped to making educational decisions.

Furthermore, I worry about her understanding of small, rural districts. We have our own unique needs, which include funding professional development for teachers, Federally-funded programs for at-risk youth, and support to recruit and retain high quality teachers.

As a strong supporter of public education, I ask that you oppose the confirmation of Betsy DeVos as Secretary of the U.S. Department of Education. We must have a Secretary who can commit to supporting every student in our public schools, and provide leadership that will help our neighborhood schools succeed. Betsy DeVos' record in education and her performance at the recent confirmation hearing proves she is the wrong candidate for the job.

As a principal, I have spoken with teachers, parents, students and community members, who agree that America's future depends on a strong investment in our Nation's public schools.

Thank you for your attention to this matter. I understand that you are being inundated with emails concerning Cabinet picks. I feel the nomination of Betsy DeVos is political. Students, families and educators deserve a highly-qualified candidate that understands our complex educational system. I am not writing to you because I have a political motivation. Instead, I am looking for the best of the best for the Secretary of Education position. Unfortunately, in my professional opinion, Betsy DeVos is not the right person for this job.

I couldn't agree more. Shouldn't we have the best of the best at the top of our education system today? That is what my constituents are asking—and I know many across this country are hoping that just one more Republican Senator will agree. That is what will occur in about an hour.

I see my colleague on the floor who has come here to talk. I appreciate him being here, and I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, thank you for your leadership on this issue, and God knows, how many others. You are a force of nature. I am happy to be with you on this day.

I come from Delaware, and we have about a million people who live in Delaware, and they are not shy about telling their congressional delegation—Senator COONS, Congresswoman LISA BLUNT ROCHESTER, and me—what they are thinking. We go home just about every night. They get to tell us a lot of times in person. They also call our office. We have three offices in Delaware. They call our office here in Washington. They send us emails. We used to get a lot of letters, but now mostly we receive emails, not too many letters.

I have never seen the kind of outcry, if you will, from the people of my State

on any nomination. I have been privileged to serve. This is my 17th year. So we have seen a lot of nominations come and go, seen a number of Presidents come and go, but I have never seen anything quite like this.

I asked my staff to compile for me, through yesterday, the number of folks who either called us or emailed or sent us letters on the nomination of Betsy DeVos to be Secretary of Education.

As of yesterday, over 3,700 people had contacted my office. That may not be a lot from Oklahoma. That may not be a lot from California. That is a lot in Delaware. I ask my staff to break down—let us know if we heard from anybody outside of Delaware: over 700. Then I said, for the folks who contacted us from Delaware with respect to this nomination of Betsy DeVos, how many were for her? Out of over 3,700—10. I have never seen anything like that.

So that means there are over 3,700 people in my State who raised their voice up against her nomination. Just because the numbers are like 370 to 1 against the nomination, that doesn't necessarily mean I should oppose the nomination, but it certainly makes me stop and think if I had been inclined to do so.

I rise today, not just as a United States Senator, but as a recovering Governor and a father, one who knows the value of public education from personal experience. My wife and I grew up—she in North Carolina and me in West Virginia, a little bit of Ohio, and mostly Virginia—we grew up in public schools. Our sons attended public schools throughout high school, graduated and went off to college, and we are proud of what they have accomplished. They are 26 and 28 years old today. I am very proud of what they have accomplished. I have a stepson from my first marriage. He lives in Michigan. He raised a family, four children and his wife, and I am very proud of what he accomplished—again, a product of public schools.

When I graduated from high school, I was fortunate to win a Navy ROTC scholarship and go to Ohio State. I worked a couple of jobs while I was going to school and was able to become one of the first people in my family ever to go to college and to graduate from college. I spent five as a naval flight officer during the Vietnam war. At the end of the war, I came back to the United States and moved to Delaware. There, thanks to the GI bill and continuing to fly as a Reserve P-3 aircraft mission commander, I was able to make ends meet and get a graduate degree in business administration from the University of Delaware.

The 8 years I was Governor, from 1993 to 2001, I spent a big part of those 8 years focusing on creating a more nurturing environment for job creation, job preservation. Our Presiding Officer has heard me wax on in our committee—more often than he probably wants to remember—about a major job

of government under State, local, Federal, is to create a nurturing environment for job creation, job preservation. In a family, you have breadwinners, people earning an income, making a way for themselves, for the rest, and our job is a whole lot easier.

One of the keys to that nurturing environment is to make sure the young men and women coming out of our colleges, our high schools, our trade schools have the ability to read, to write, to think, to use the technology, and to have a good work ethic and go out and be a good employee for any employer who might hire them.

Public education is personal for me. I have had this remarkable connection to it for my whole life. In our little State, I visit schools almost every week. We have a program called Principal for a Day. I have been Principal for a Day. It is from the State chamber of commerce. I joke and tell people I have been Principal for a Day in about half the schools in Delaware. It is probably not quite right but probably 30 or more. I keep running into kids who went to high school and say: "I was your principal, did you know that? Only for a day, but it was a good day." I learned a lot from doing that.

I mentored, for probably a couple of decades, a bunch of different kids, trying to help be a good role model for them and give them an extra person to be able to lean on and to count on.

Just recently, I was over at the school a couple of miles from our home at Mount Pleasant Elementary, which has a terrific elementary school in the Brandywine School District in Northern Delaware. The Teacher of the Year there for the State was good enough to let me come by and shadow her for part of her day and see what a really terrific teacher does. During the 8 years I was Governor, one of the highlights of every year was the day I would host, in June at the end of the school year. We have 19 school districts. Each school district picked the Teacher of the Year. They have the chance to have lunch—the Delaware Teachers of the Year—and just to focus on their school districts and their schools and their classes, what was working to raise student achievement and really be inspired by all of them.

I hear regularly from my constituents about the importance of public education. In fact, I was out running late Sunday afternoon, actually into the dusk. I was going by a Wawa on Philadelphia Pike, just north of Wilmington. Some guy came by and he rolled down his window. As I ran along, he said, "Don't vote for that Betsy DeVos."

I said, "Really. Can't get away from it."

But I hear it a lot. I hear the message loud and clear.

Many of our colleges have covered this nomination at some length. But I think it bears repeating. I would just say this: Experience matters. Mrs. DeVos has, as far as I can tell, no expe-

rience in public education as a student, none as a parent, none as a teacher, none as a school administrator—none.

Maybe that alone should not disqualify her, but it is concerning. During her confirmation hearing, Mrs. DeVos failed to answer the most basic questions relating to education policy, and she demonstrated, not just in my view but certainly the views of a lot of the people who watched and shared their views with me, that she was unqualified, really unprepared for what I think is a critical task.

Many of my colleagues who support Mrs. DeVos point to her experience in Michigan, where Mrs. DeVos used her significant wealth and influence apparently to push an education reform agenda centered on vouchers, centered on for-profit charter schools that delivered questionable outcomes for students and taxpayers.

Let me just say, I was a Governor who proposed legislation, signed legislation creating charter schools. I have been a champion of public charter schools in my State and in our country. I have been a champion here in the Congress. I am not a champion of all these for-profit colleges and universities that we have. Some of them are very good; some of them are not.

I am concerned with the advent of for-profit charter schools, particularly those that are not doing the job, getting the job done and raising student achievement for the young men and women who are students there.

Leading the Department of Education is a very big job. It is a very important job. The Secretary of Education is responsible for overseeing a budget of some \$36 billion for K-12 education and \$150 billion for higher education, as well as managing a portfolio of more than \$1.2 trillion in outstanding Federal student loans.

I have been fortunate as a Congressman, as a Governor, as a Senator, to work with any number of Secretaries of Education in the administration of George Herbert Walker Bush, the administration of Bill Clinton, the administration of George W. Bush, and the administration of Barack Obama—people like Dick Riley, former Governor of South Carolina, people like Arne Duncan, who was a great school leader in Illinois and for our country as well. When I think of the giants they were and the work they did and how knowledgeable they were, how inspiring they were, how uplifting they were, that is the kind of leader we need. They were not just all in Democratic administrations or Democratic and Republican administrations. As much as ever, we need that kind of leader today.

I will conclude by saying that Mrs. DeVos too often lacks experience, just as often has the wrong experience that we should expect from someone to lead the Department of Education at what is really a critical juncture for our country. I cannot support her nomination because I am not a convinced that she is interested in bringing Democrats

and Republicans together on a shared vision of improving public education in this country. Reluctantly, I must urge my Democrat and Republican colleagues to listen to this groundswell of voices from across the country and ultimately oppose this nomination.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Maryland.

Mr. CARDIN. Mr. President, as the Senate deliberates the nomination of Betsy DeVos to be Secretary of Education, I have heard from more than 4,200 Marylanders who have called my office, more than 3,700 Marylanders who have emailed me, and countless others who have sent me messages via Twitter and Facebook, and, as Senator CARPER has indicated, those who have just stopped me on the streets and urged me to oppose her nomination.

They have contacted me to express their strong support for public education, and they are concerned about whether Mrs. DeVos is equally committed to public schools. I share their concern. Marylanders and I agree that our children deserve an advocate in this position who will work to strengthen the ability of public school educators to serve our children.

As a proud graduate of the Baltimore City Public Schools, I understand the transformative powers that quality public school education can provide a child. The education I received at city schools has allowed me, the grandchild of immigrants, to represent Maryland in the Senate. I owe that to my public education, my public school education.

Maryland has made a commitment to providing adequate funding for public education over the past decade. Consequently, Maryland has consistently been a national leader in student performance and student outcomes.

Each day, our State's nearly 880,000 students make their way to classrooms of more than 60,000 and thousands of more support personnel and education leaders in over 1,400 Maryland schools. I appreciate the service of Maryland educators, not only from the perspective of a lawmaker, a father, and a grandfather but also as a husband of a former school teacher.

Mrs. DeVos appeared before the Senate Health, Education, Labor, and Pensions Committee to articulate her view on how to best serve our students as Secretary of Education. I found several of Mrs. DeVos's answers to the committee questions to be troubling, particularly what appeared to be her tepid support for our Nation's public schools; her failure to recognize the critical Federal civil rights safeguards for children with disabilities; her inability to offer an opinion on longstanding debates within the education community that she would be expected to join as Secretary of Education; her support for President Trump's dangerous campaign promise to eliminate gun-free school zones; and her overall lack of response on how to provide students and their families with affordable higher education.

Maryland families know and understand the value of a high quality public school education. Since 2008, enrollment in our State public schools has increased by nearly 36,000 students to a record enrollment of approximately 880,000 students for the 2016–2017 school year.

While enrollment has continued to increase at a record pace, I am proud that Maryland public schools have consistently ranked among the top five public school systems in the country.

I worry that Mrs. DeVos's enthusiastic support for private school choice programs could hamper the progress in State and local education in Maryland and could prevent us from providing the highest quality level of education for our public school students. School choice programs that shift Federal fund dollars from public schools to defray tuition at private schools weaken the ability of Maryland's hard-working public school professionals to deliver college- and career-ready education for Maryland's diverse students.

Certainly private schools play an important role in our education system. As Senator CARPER points out, he supports, I support, charter schools within our public school system. I support the role that public schools play. But we mustn't forget that more than 91 percent of American children attend public schools. They and their families deserve a Secretary of Education who will fight to strengthen public as well as private education.

School choice programs are not one-size-fits-all solutions to strengthen education in the United States. They leave out students in our rural communities, for instance, and have been shown in Maryland for the most part to support students who are already enrolled in private schools.

I urge our Secretary of Education nominee—if she is confirmed—to work to provide our public school teachers with the training, tools, and resources necessary to provide all children with a high-quality education. I was particularly concerned by Mrs. DeVos's apparent unfamiliarity with critical Federal civil rights safeguards for children with disabilities, guaranteed under the 1975 Individuals with Disabilities Education Act, IDEA.

IDEA ensures that every child with disabilities is afforded a free appropriate public education. Across my State, more than 100,000 children receive federally funded services under the IDEA to help them succeed academically. Mrs. DeVos did not seem to know that States must follow this critical civil education rights law if they accept Federal funding.

Parents across the country advocate for their children on a daily basis, utilizing the protections afforded to their children under the IDEA. They deserve a Secretary of Education who understands her responsibilities and the Federal Government's responsibilities to children with disabilities. Last year's enactment of the bipartisan, bicameral

Every Student Succeeds Act was a true success.

This was an incredible accomplishment put together by Senators Alexander and Murray. For the first time in 14 years, Congress reauthorized the Elementary and Secondary Education Act, legislation that was first enacted 50 years ago as part of the civil rights era to ensure that all of our children are able to attain a high-quality education.

That act eliminated the outdated and ineffective accountability system of adequately yearly progress and now provides States with the flexibility to decide their own accountability system to identify, monitor, and assist schools in need of improvement to best educate their students.

We gave local flexibility but maintained accountability. That was a major improvement in the Elementary and Secondary Education Act. The modifications allow States to move away from reliance on a collective set of test scores to measure students' proficiency. Now, States will be able to design accountability systems that take into account student growth over the course of a school year.

As Secretary of Education, Mrs. DeVos would be tasked with leading the Federal implementation and review of the State development accountability systems. But in a hearing before the committee, she struggled to understand the definition of proficiency versus growth and had to have committee members help her define those terms.

Maryland educators oppose the high-stake testing requirements under the previous Federal accountability system. They deserve a Secretary of Education who understands the basic concepts of Federal involvement in our public schools, so they can effectively advocate for more accurate accountability systems that better show student growth in the classroom.

Mrs. DeVos's expressed support for President Trump's misguided pledge to eliminate gun-free schools zones is deeply concerning. Maryland's families have made it loud and clear to me that this approach is wrong and would unnecessarily put our students in harm's way in the very classrooms in which they are expected to learn. Since 2000, there have been four school shootings across my home State. One shooting in a school anywhere in our country is too many. Each of those incidents is a tragedy, and I do not wish to see more students and educators put at risk of additional tragic incidents of gun violence by allowing firearms in our classrooms.

Rather than support the Federal programs developed under the Elementary and Secondary Education Act to provide additional funding for school-based mental health resources in our national public schools that can provide assistance for those who may commit gun violence at schools, Mrs. DeVos would spend those tax dollars on

school choice programs and open up our classrooms to potential violence.

In the coming months, future college students and their families will sit at their family kitchen tables to apply for financial aid to pay for college and await the news of their acceptance to the college of their choice. I have talked to so many Marylanders who are struggling with allowing their children to go to schools of higher education so that they can be best prepared, but they are looking at the realities of the cost involved in higher education. This is an exciting time, yet an increasingly anxious time for parents and students as the cost of attending college continues to rise.

Mrs. DeVos needs to demonstrate that she is familiar with the process, the steps necessary to apply for Federal financial student aid, and appreciates the enormous burden families increasingly undertake to gain a foothold in the middle class through higher education.

Mrs. DeVos appears willing to roll back protections for student borrowing and to allow taxpayer funds to be put at risk of failing for-profit schools that do not provide students with the educational skills necessary to join the workforce. At a minimum, I would expect her to be an advocate to make sure that Federal funds are not used for these schools that are not being held accountable for what they do.

I would like to hear Mrs. DeVos voice her support for America's College Promise plan to provide academically successful students with the ability to earn the first 2 years of their college degree tuition free at a community college. So far I don't think she has said anything. That is the most efficient way to try to educate our children.

I appreciate Mrs. DeVos's willingness to serve, and I believe she is sincere in her beliefs, but I am concerned that those beliefs, if enacted, would harm the capability of America's public education system to serve the vast majority of students across the Nation and pile on needless costs to students, their families, and the American taxpayer. Therefore, I will stand with Maryland's students, teachers, and parents in opposing Betsy DeVos for Secretary of Education.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I have had the opportunity over the last almost 24 hours now to hear from a wide swath of our Democratic conference speak out against the nomination because they feel so strongly that in this country public education is a core principle. I know a number of my colleagues will be participating with me in these last few minutes, but I want to thank, again, everyone who has written, who has called in, who has expressed their opinion on this critical nominee that this President tapped to oversee education policy.

Mr. SCHATZ. Mr. President, will the Senator yield for a question?

Mrs. MURRAY. I yield to the Senator from Hawaii for a question.

Mr. SCHATZ. I thank the ranking member of the HELP Committee, the senior Senator from Washington.

You can trace the history of public education in America to the Original Thirteen Colonies. In 1635, boys in Boston could get a free education, and by 1647, the Massachusetts Bay Colony required every town to provide boys a basic education.

Some 340 years later, our public education system has come a long way, but some things don't change. Our communities still understand how public education lays a foundation for success. It is still the great equalizer.

Senator MURRAY, during Betsy DeVos's hearing, you asked a very important question. You asked: Can you commit to us that you will not work to privatize public schools or cut a single penny from public education?

Mrs. DeVos responded by saying she would work to find common ground and give parents options.

I am wondering whether you were satisfied with her answer and her commitment to the basic premise of public schools and public education.

Mrs. MURRAY. Well, I thank the Senator from Hawaii for his question.

He is absolutely right. I did ask Betsy DeVos, when she came before our committee, if she would commit to not privatizing our schools or cutting a single penny from public education, and she would not do that. She would not do that.

To me, that sends a very clear message, and it did obviously to parents, students, and administrators across this country, that she was not committed to the core principle of public education, that our tax dollars in this country always have and should continue to be to make sure that every student, no matter where they are, will have the opportunity to participate in education. Her answer clearly meant that she was going to take money from our public education system, from our schools—big, small, rural, urban, and suburban—to go to private schools. That would mean a devastation for many communities.

So I thank the Senator from Hawaii for his question.

Ms. HASSAN. Mr. President, will the Senator yield for a question?

Mrs. MURRAY. I yield to the Senator from New Hampshire.

Ms. HASSAN. Thank you very much.

Senator MURRAY, I have been very concerned, as you know, with Mrs. DeVos's lack of understanding of issues facing students with disabilities. My son Ben's experience in public education was made possible because there were so many families and advocates who came before my family to make his inclusion possible.

Before IDEA, students who experienced disabilities in an institutional setting often didn't get an education at all and were often mistreated.

Yesterday when I spoke on the floor, I discussed a woman in New Hampshire named Roberta who had been in our State school before IDEA was passed and gave accounts of terrible experiences there.

Do you also have concerns with Mrs. DeVos's lack of understanding of the challenges faced by students who experience disabilities and her lack of commitment to ensuring that all students have a free and appropriate public education?

Mrs. MURRAY. Mr. President, I deeply share the concern of the Senator from New Hampshire. She came to the floor last night to speak eloquently about the challenges that our students with disabilities have and the promise that this country has made now for decades that if you are a student with a disability, you will be able to go to a public school and get the education that you need.

She spoke eloquently. For everyone who didn't hear her, I ask you to go back and look at the RECORD and listen to it.

Yes, I am deeply concerned that this nominee whom this President has sent to us is not committed to that basic premise that, no matter who you are or where you come from or what you look like or if you have a disability, you get a public education. But I am not only concerned that she doesn't have a commitment. I am deeply concerned that she didn't even understand that it was current Federal law.

How can someone be a Secretary of Education in this country and not understand that basic premise and not give that commitment to people across the country that, if it is your child or someone you love or someone you know, they, too, can go to school and get what they need.

So I want to thank the Senator from New Hampshire. And, yes, I am deeply concerned, as we all should be in this body and across the country, that this nominee is not prepared or qualified to make that basic assurance for all students in this country.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, my mom was a second grade teacher, and she taught second grade until she was 70 years old. That was her life's work.

I went to public school, and I sent my daughter to public school. It has really been the core of how I ended up in the Senate.

After a close review of Mrs. DeVos's confirmation record and the hearing, I have concluded that, like all of my colleagues on the Democratic side and two of our colleagues on the Republican side, I cannot support her. I don't believe she is prepared for this job, and I don't believe she is committed to the kind of public education that got my family from an iron ore mine in Northern Minnesota to the U.S. Senate.

My question of Senator MURRAY is that one of the most troubling examples of this lack of preparation came

when Mrs. DeVos was questioned by my colleagues Senator HASSAN, who just spoke, and Senator Kaine about whether schools should meet the standards outlined by the Individuals with Disabilities Education Act. She said she would leave this decision to the States.

As I noted yesterday, I occupied the Senate seat once held by Minnesota's own Hubert Humphrey. He was someone who, of course, was never at a loss for words.

He delivered a speech at the Minnesota AFL-CIO 40 years ago, and one line of that speech is just as appropriate today as it was back then. He said: "The moral test of government is how the government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life, the sick, the needy and the handicapped."

These civil rights protections and the funding that we have seen under IDEA have always been an area of bipartisan cooperation. I have heard from so many parents in my State.

A mom from Watertown with a son who was born with Down syndrome says that thanks to IDEA, this law has given her the opportunity for her son to participate in a normal education.

For a woman from Lakeville, her son was born with developmental disabilities in the late 1980s. She was so worried about what his future would be. Then that law was put into place, and today he is a successful young adult who happily lives, learns, and works in his community.

So my question of Senator MURRAY is what her views are of the nominee's qualifications when it comes to the Individuals with Disabilities Education Act and the concern that she has heard from others in her State as well as across the country when it comes to this very important issue for our children.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I want to thank the Senator from Minnesota, who came the other night to talk passionately about her own mother, who was a teacher and her favorite course to teach was about the monarch butterfly and how she would come dressed up as a butterfly and how she impacted a young student in her classroom who is now a young adult and still remembers the learning experience that her mother, as a teacher, gave to him. That spark is so important for every child in this country—that spark for education—no matter who you are, your disability, or what brings you to school that day. That is what is so important about the term "public education." Every child in this country deserves a public education and to reach their full potential, no matter what they look like, how they come to school that day, whether they have been fed or have a disability. That spark is what is so important.

That is why so many people have spoken out in this country about this

nominee, who knows nothing or very little about IDEA—not even that it is a Federal law that is under the jurisdiction of the Department that she is seeking and that she would oversee and protect those students. That, to me, is deeply disappointing. It says to me that this President should say: I don't want this nominee to go forward. I will send you someone who understands this law.

I appreciate the question from the Senator from Minnesota.

Mrs. McCASKILL. Mr. President, will the Senator yield for a question?

Mrs. MURRAY. I yield for a question.

Mrs. McCASKILL. I say to the Senator, it is my understanding that the essence of Mrs. DeVos's career has been an effort to impose on States programs—and now a Federal Government program—that will take money out of public schools to provide for parents and students to then go to private schools. Is it a fair characterization of the essence of her career that parents should have a choice with public money to decide whether they want to attend a public school or a private school?

Mrs. MURRAY. The Senator is correct. The essence of what she has promoted and used her vast wealth for and has worked for throughout her experience is to take money away from public education and put it into private schools.

Mrs. McCASKILL. So I am confused.

We just had an election. In my State, the reddest parts of my State are parts of the State where there are no private schools—rural Missouri. I am a daughter of rural Missouri. My father went to public school in Houston, MO. My mother went to public school in Lebanon, MO. I attended public school in Lebanon, MO, and Columbia, MO. In fact, I am a product of public education from beginning to end. Both of my parents went to the University of Missouri, and so did I.

In rural areas of this country, there are no private schools for parents and kids to choose. They would have to drive miles. By the way, in my State, the newly elected Governor just cut transportation funds for public schools—just cut them. So they now have less money for transportation than they had last year. And, by the way, it isn't like public schools are getting fully funded in my State. They are not.

So I guess what I am confused about—I know what public schools mean to rural Missouri. I know they are the essence of the community. If the essence of this woman's career is to take money out of public schools in rural communities and put them in private schools that will never exist in many of these small communities, they are kicking the shins of the very voters who put them in power.

I don't get that. I don't get that, Senator. I don't understand how you could give the back of your hand to rural America with this decision. I would im-

plore my colleagues who understand that rural America is where their base is in large part that they are misreading this vote if they think that rural America is going to forget that this woman wants to rob the public schools of rural America and put in private schools in the cities, which they will never be able to attend.

I thank the Senator.

Mrs. MURRAY. I thank the Senator for her question. I just want to say that she is absolutely right. The money is not magic. It doesn't just get printed to give vouchers to schools. It comes from our public schools. As she stated so eloquently, there are many schools—some in rural areas, some in urban areas, or mostly in rural, and there is no private school to send your kids to. That voucher money, that public money, those taxpayer dollars will come away from those schools. They will have less money, but it won't go to the advantage of those students, and they will be left behind.

Ms. STABENOW. Mr. President, will the distinguished Senator yield for a question?

Mrs. MURRAY. I yield for a question.

Ms. STABENOW. Thank you very much. Before asking my question, I want to thank the senior Senator from Washington State for her leadership and passion on behalf of my children and on behalf of myself. As a product of a small rural school in Northern Michigan, my two children went to public school, and my two grandchildren are now going to public schools.

I want to thank you for your leadership, and I am so grateful to all of our colleagues and our two Republican colleagues who are joining us today.

Would you agree that when we look at this—and I certainly have a bird's-eye view. We in Michigan have lived what has happened in cutting public schools and moving dollars to private, for-profit, nonprofit charters without virtually any accountability. Would you agree that essentially we have a nominee who is looking through a lens of a private sector for-profit model, where in the private sector we have winners and losers, so you can have a business open and close. That is based on our private marketplace. It works well, but in education it is different. We can't afford for any of our children to be losers in education, and it just doesn't work to have this competitive marketplace; that what we need is a quality public school along with public choices. I support public charters with accountability and other choices, but what we have is a view of a nominee, someone who has not been involved in public schools herself, or her children, and so on, who comes at it from this perspective of winners and losers in the private market, and we cannot afford any child to be a loser as it relates to their education.

Mrs. MURRAY. Well, I want to thank the Senator from Michigan for that question because it is at the heart of what this entire debate is about. We

have a nominee who has come forward who is quite successful in private business—a billionaire herself—whose idea and vision for our Nation's education comes from a private business perspective.

The Senator from Michigan is absolutely right. Our schools are not about profits. They are not profit centers, and we can never run them that way because there is a core principle that this country was founded on that our forefathers very wisely thought of. They wanted to make sure that every young person in this country, no matter who they were and how much money they had, would get a public education.

You can't run that as a for-profit business because there are kids who come to our schools who are very hard. Maybe they come without having had a parent home the night before, they come hungry, they come with disabilities, they come with challenging education experiences. We can't throw those kids out because there are other kids who come with parents who are very active and are really bright and we want to keep them because they are better for profit. We have to run our public education schools so every child has that opportunity because who knows who that young child is going to be who takes that nugget of public education and ends up sitting here in the U.S. Senate. That is the foundation of our country.

I really appreciate the Senator from Michigan for raising that because that is the core essence of why so many people have spoken out against this nominee, who stood up and have written us letters and made phone calls and stood at rallies and spoken out—many people who have never spoken out on issues before who have never really paid attention before, but this is about the core principles our country was founded on, a public education for all—not a profit education for all but a public education for all.

Mr. MERKLEY. Mr. President, will the Senator from Washington yield for a question?

Mrs. MURRAY. I will yield to the Senator from Oregon.

Mr. MERKLEY. I appreciate your point and the belief that the son or daughter of a millwright, a mill worker as I was, should have the same opportunity as the son or daughter of a CEO in a big company. That is embedded in the notion of quality public schools.

What I was really struck by was that DeVos wants to divert all these public funds from our schools to for-profit schools, and if it is for-profit, you squeeze down the services in the school to maximize the profit, and that is just exactly the type of attack on our children that we can't tolerate, but I was also struck about how she imposes the accountability for these alternative schools. The columnist Stephen Henderson of the Detroit Free Press said:

Largely as a result of DeVos's lobby, Michigan tolerates more low-performing

charter schools than just about any other State. It lacks any effective mechanism for shutting down or even improving failing charters.

He goes on to say:

We are a laughingstock in national education circles and a pariah among reputable charter school operators who have not opened schools in Detroit because of the wild west nature of the educational landscape here.

Do you share the concern about the complete lack of accountability of these for-profit schools that are pulling the funds out of our public schools in Michigan?

Mrs. MURRAY. Let me thank the Senator from Oregon for his question because he raises a very important point. No one is debating whether we want our kids to have a choice. The debate here is about whether or not those schools that take taxpayer dollars through a voucher system are accountable to the taxpayers who are paying for those vouchers.

This nominee came before our committee and very clearly stated that she would not equally hold accountable private schools. Now, I was a former school board member, and I can tell you, I was there late many nights listening to parents who stood before us and talked about the fact that they wanted to make sure that their school had good teachers or their school had good policies, and we were accountable to that because we were an elected board, and we had to make decisions based on what our constituents thought was important.

These are our constituents who are paying their tax dollars to this country, and they want to know that their taxes are used accountably. Yet we have a nominee before us at the Department of Education who has said she wants to take those taxpayer dollars—your money—and send it on to private schools with no accountability. What does that mean? That could mean that those private schools don't necessarily have to provide a strong curriculum in specific topics. It means they can let kids out of school and say: We don't want to keep you here anymore. You are too tough to teach.

It can say that they will not keep records of dropout rates so we know whether or not they are encouraging these tough kids to go to another school. They can actually deny access to students with disabilities or who come from tough backgrounds who may not meet their standards, and they will not be held accountable under the policies that Ms. DeVos proposes. So the Senator raises an absolutely critical question. At the end of the day, each elected official in this country is held accountable to their taxpayers to assure that the money they give out in their taxes is used in a way that our country agrees on, and this Secretary of Education says: Nope. We want to change that. We want your tax dollars to go to schools that are not accountable to you.

Mr. MERKLEY. I thank the Senator from Washington for her answer. So often I have heard speeches about accountability from across the aisle. This is a case where accountability matters a tremendous amount because it determines whether our children have a fair shot at driving America. So I thank the Senator from Washington for elucidating us in regard to that issue.

Mrs. MURRAY. Mr. President, we have a number of Senators who have been on the floor who are here now and who would like to speak, and I ask unanimous consent that I continue this dialogue with Senators until a quarter to 12, and the last 15 minutes be equally divided between the chairman of the committee and myself.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. That would mean the chairman of the committee would speak last.

Mrs. MURRAY. Mr. President, let me revise my request. I ask unanimous consent that we continue to have this conversation until a quarter to 12 p.m.; that at a quarter to 12, I will give my final remarks and divide equally the last 15 minutes so the chairman of the committee has the last 7½ minutes.

Mr. ALEXANDER. I have no objection.

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

Ms. DUCKWORTH. Will the Senator yield for a question?

Mrs. MURRAY. I will yield to the Senator from Illinois.

Ms. DUCKWORTH. I do not believe that the President nominated the best candidate to serve as Secretary of Education. I don't believe he even nominated a qualified candidate. Mrs. DeVos has never taught, never worked in a school system, and has no educational degree in education policy.

I was hoping that she would ease my concerns over her qualifications at the confirmation hearing and prove that she was indeed up for the job, but, instead, Mrs. DeVos failed to study, showed up unprepared, and appeared unfamiliar with the foundational civil rights law that guarantees every student, including those with disabilities, the right to a quality equitable education.

I would not be here today were it not for strong public schools and civil rights protections. Confirming her to lead the agency tasked with educating our children and helping them develop into successful adults would be a mistake for our children because they would have to pay for and live with this mistake for decades to come. There is simply no way that I can support her nomination.

I ask the Senator, how is it possible that we could have a Secretary of Education who does not understand or even know about those Federal protections

for students with disabilities to have access to equitable and fair education?

Mrs. MURRAY. I want to thank the Senator from Illinois, who is an amazing new and great Member of our Senate. She comes from Illinois. She comes from an incredible background and is asking a critical question about whether our students with disabilities should have access to education.

It is a passion many of us have feelings about, it is a principle that our country has supported, and it is a principle that this nominee is uniquely unknowledgeable about and, to me, that is reason enough for any of us to vote against that nominee.

Mr. FRANKEN. Will Senator MURRAY yield for a question?

Mrs. MURRAY. I will yield to the Senator from Minnesota for a question.

Mr. FRANKEN. Thank you. As Senators on opposite sides of the aisle, we have philosophical differences, but one thing I think we all agree on is that our Cabinet Secretaries must be qualified and up to the challenge of running an agency.

Betsy DeVos has demonstrated that she is not qualified to run the Education Department. I would say to my colleagues on the other side of the aisle, if you watched her confirmation hearing, you would know that. It was the most embarrassing confirmation hearing I have ever seen. She could not answer the most basic questions about education. So I ask my Republican colleagues, if Mrs. DeVos's performance in this hearing didn't convince you that she lacks qualifications for this job, what would have had to have happened in that hearing in order to convince you?

If we cannot set aside party loyalty long enough to perform the essential duty of vetting the President's nominees, what are we even doing here?

Let's do our job for the sake of the children and for the sake of our Nation's future. Thank you.

Mrs. MURRAY. I say thank you to the Senator from Minnesota, and I want to thank him for being a committed part of our committee, really helping us all recognize that this nominee is not qualified.

I see the Senator from Hawaii who has, I believe, the last question.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Will the Senator from Washington yield for a question?

Mrs. MURRAY. I will yield to the Senator from Hawaii.

Ms. HIRONO. As we have spent many hours debating whether Mrs. DeVos is the best person to head our Department of Education, my question is, Do you think Betsy DeVos is the best prepared, the best experienced, and the best committed person to lead as the Secretary of the Department of Education?

With your indulgence, I would like to put this into a little bit of a context because we talk about how foundational public schools are and

how education is a great equalizer. I speak from experience as an immigrant coming to this country not speaking any English, and I learned from the public schools and the committed teachers in public schools how to read and write English, to develop my love of reading, to count on an education system to prepare me for success, not only in school but in life.

That is why I want to also ask my colleague from Washington State, for the nearly 200,000 young people in Hawaii who attend our public schools and obviously the millions of young people in our public schools throughout the country, Do you think Betsy DeVos is the best we can do for these people who are attending our public schools?

Mrs. MURRAY. I thank the Senator from Hawaii, and I think that is the question all of us should be posing to ourselves as we get down to the final few minutes. Is this the best of the best?

Is this a knowledgeable candidate who understands the Federal law?

Is this a candidate who comes to us without conflicts of interest?

Is this a candidate who is willing to stand up and be the defender of all young children in schools?

To me and to many of my colleagues who have been out here speaking, she is not.

I want to thank all of my great colleagues who have been out here speaking from their heart about a passion that they have in this country for a candidate to lead the Department of Education who is qualified, who is prepared, who is ready to stand up and fight for every child no matter where they live or where they come from.

With that, Mr. President, I believe we are down to the last 15 minutes before the vote, with the time equally divided.

The PRESIDING OFFICER. That is correct.

Mrs. MURRAY. Mr. President, as I noted, Democrats have been here on the Senate floor for the past 24 hours straight, talking about the importance of public education, sharing stories from parents and students and teachers in our home States, highlighting all of the reasons for Senators to stand with us and stand with their constituents, stand with other Republicans who are doing the right thing, and urging them to say no to Betsy DeVos and her plans to privatize public school and destroy public education in America.

But I come to the floor today to make one final push before this vote, to make the case one last time, because we are so, so close and because this is so important and also because we have a real shot right now to show people across the country that the Senate can actually listen to them, that their voices matter, and that their Senators put them and their kids and their families and their futures above loyalty to a party or a President.

I have talked about my frustration with the fact that Republican leaders did everything they could to jam this

nominee through the Senate. They cut corners and rushed into a hearing before her ethics paperwork was in. They blocked Democrats from asking more than 5 minutes of questions, forcing a vote before all of our questions were answered about her tangled finances and her potential conflicts of interest, and rushed straight from the committee vote to the shortest possible floor debate they could manage.

So I won't spend more time on that today because the truth is that despite Republicans' best efforts, people across the country have learned a whole lot about Betsy DeVos over the past few weeks, and the more they have learned about her, the less they have liked and the more outraged they have become.

Over the past few weeks, people have learned about Betsy DeVos's tangled finances and potential conflicts of interest and how she and her family have given hundreds of millions of dollars to Republicans and extreme conservative groups. They have learned about her failed record, how she spent her career and her inherited fortune pushing anti-public school policies that have hurt so many students in her home State of Michigan and across the country. They have learned about the extreme right-wing ideology that drives her, how she wants to bring her anti-government, free-market-above-all philosophy to an education system that she has called nothing more than "an industry, and a dead end."

When people saw her in her hearing, they learned even more. When they watched Betsy DeVos in that hearing room, when they saw it live on the evening news, on "The Daily Show," on "The View," and on many other shows covering it, and one of the many clips that went viral on social media or shared by a friend or a family member, a whole lot of people were introduced to Betsy DeVos for that first time in that hearing, and they were not impressed. People across the country saw a nominee who was clearly ill-informed and confused, who gave a number of very concerning responses to serious and reasonable questions.

In that hearing, Betsy DeVos refused to rule out slashing investments in or privatizing public schools. She was confused that Federal law provides protections for students with disabilities. She didn't 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." And even though she was willing to say that President Trump's behavior toward women should be considered sexual assault, she would not commit to actually enforcing Federal law protecting women and girls in our schools. Those were just a few of the moments in that hearing that made it clear why Betsy DeVos is not qualified to do this job. There were many more.

What people saw in that hearing wasn't just a nominee who didn't understand the issues; they saw a nominee for Secretary of Education who clearly didn't think about public education and public schools the way they do. For most people, public education hits really close to home. It is part of who we are, our families, and our communities. So many of us owe everything we have to public education. We have watched our kids and our grandkids and our neighbors get on the bus to go to their local public school. Many of us have taught in public schools or have family or friends who walk into classrooms every single day to help our students learn. And so many of us believe in a commitment to strong public schools that offer an education and opportunity to every student. It is a core part of the American promise.

So when we saw someone nominated to this position who knows so little about public education, who so clearly cares so little about public education, whose strongest connection to public schools is through her dedication to tearing them down, that struck a real chord with a whole lot of people, and they decided to make their voices heard.

Over the past two weeks, we have seen an unprecedented level of engagement from people on this nomination—tens of thousands of calls, thousands of letters, hundreds of people calling in, social media, and many of them have never been involved or made their voices heard before. It made a difference. Right now, every single Democrat is opposing this nomination, and two Republicans who listened to their constituents are joining us. So we are dead even—the first time in history that the Vice President will be called on shortly to cast a tie-breaking vote on a Cabinet nominee. We just need one more Republican to join us to prevent that from happening, one more to help us show the people across this country that their voice matters in this debate, one more to stand with people across the country and say no.

So I am here to finish this debate where we started—standing with students and parents and teachers, with the people of my home State of Washington and across the country who strongly support public schools and true education opportunity for all, and with Democrats and Republicans across the country who have poured their heart and soul into opposing this nominee. I stand with you.

I urge one more Republican to join us.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, will you please let me know when 4 minutes has expired and then when 5 minutes has expired, and then I will allocate to the Senator from South Carolina the last 2½ minutes.

The PRESIDING OFFICER. The Chair will so advise.

Mr. ALEXANDER. Mr. President, I am voting for Betsy DeVos because she will implement our law fixing No Child Left Behind the way we wrote it—to reverse the trend to a national school board and restore control to classroom teachers, to local school boards, to Governors, and legislators—because she has been at the forefront of the most important public school reform in the last 30 years—public charter schools—and because she has worked tirelessly to give low-income children more of the same kind of choices that wealthy families have.

Twenty-two Governors in this country support Betsy DeVos.

I ask unanimous consent to have printed in the RECORD their names, including former Governor Jeb Bush, former Governor Mitt Romney, former Governor John Engler, and 462 organizations and elected officials who support Betsy DeVos for Education Secretary.

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

HIGHLIGHTS AMONG DEVOS SUPPORTERS
THESE INDIVIDUALS HAVE WRITTEN LETTERS,
OP-EDS, OR ANNOUNCED PUBLIC SUPPORT

22 State Governors, including:

Gov. Robert Bentley, Alabama; Gov. 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.

4 Former Education Secretaries:

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

Former Senators:

Joe Lieberman and Bill Frist.

Democrats including:

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

462 ORGANIZATIONS, ELECTED OFFICIALS

NATIONAL SUPPORT FOR THE NOMINATION OF BETSY DEVOS TO BE U.S. SECRETARY OF EDUCATION

50 CAN—50 State Campaign for Achievement Now; ACE Scholarships; Agudath Israel of America; Air Force Association; Alabama Federation for Children; Alabama Secretary of State John H. Merrill; Alabama State Sen. Del Marsh, President Pro Tem; Alaska Rep. Charisse Millett, House Republican Leader; American Federation for Children; American Association of Christian Schools; Americans for Prosperity; Americans for Prosperity—Arizona; Americans for Tax Reform; Arizona Chamber of Commerce; Arizona Charter Schools Association; Arizona Federation for Children; Arizona State Sen. Steven Yarbrough, President; Arizona State Sen. Kimberly Yee, Majority Leader; Arizona State Sen. Gail Griffin, Majority Whip; Ari-

zona State Sen. Debbie Lesko, President Pro Tem; Arizona State Sen. Sylvia Allen, Education Committee Chair; Arizona State Rep. J.D. Mesnard, Speaker of the House; Arizona State Rep. John Allen, Majority Leader; Arizona State Rep. Kelly Townsend, Majority Whip; Arizona State Rep. T.J. Shope, Speaker Pro Tem; Arizona State Rep. Don Shooter, Appropriations Chair; Arizona State Rep. Paul Boyer, Education Committee Chair; Arizona State Rep. Tony Rivero; Arkansas Secretary of State Mark Martin; Associated Builders and Contractors (ABC); Association of Big Ten Students, Former Director Adi Sathi; Association of Christian Schools International; Association of the United States Army; Attorney General Patrick Morrisey, West Virginia; Attorney General Leslie Rutledge, Arkansas.

Attorney General Bill Schuette, Michigan; Attorney General Alan Wilson, South Carolina; Ave Maria University Associate Professor Michael New; Barry Beverage, Teacher, Fayetteville Christian School; First Lady Barbara Bush; Barbara Bush Foundation for Family Literacy; The BASIC Fund; Secretary of Education William Bennett; Black Alliance for Educational Options; Bowdoin College Professor Jean Yarbrough; Business Council of Alabama; California State Sen. Jean Fuller, Senate Republican Leader; Calvin College President Emeritus Gaylen Byker; Mark Campbell, United States Naval Academy; CarolinaCAN; Catholic Partnership Schools, Camden, NJ; Career Education Colleges and Universities (CECU); Center for Arizona Policy; Center for Education Reform; Charter Schools USA; Kevin P. Chavous; Former Member, Council of the District of Columbia; Vice President Dick Cheney; Lynne Cheney; Children's Education Alliance of Missouri (CEAM); Children's Scholarship Fund, Chair Mike McCurry; Children's Scholarship Fund—Baltimore; Children's Scholarship Fund—Buffalo (BISON); Children's Scholarship Fund—Charlotte; Children's Scholarship Fund—Philadelphia; Children's Scholarship Fund—Portland OR; Civitas—North Carolina; Collaborative for Student Success; Colorado State Board of Education Member Steve Durham; Colorado State Board of Education Member Pam Mazanec; Colorado State Rep. Paul Lundein.

Colorado State Rep. Clarice Navarro; Colorado State Rep. Libby Szabo (Former), Jefferson County Commissioner; Colorado State Sen. Kevin Grantham, Senate President; Colorado State Sen. Owen Hill; Colorado State Sen. Jerry Sonnenberg, Senate President Pro Tem; Connecticut State Sen. Michael McLachlan, Deputy Senate Republican; Connecticut State Rep. Vincent Candelora; Cornell Law School Professor William Jacobson; Cornerstone University. President Joseph Stowell; Delaware State Sen. Gary Simpson, Senate Republican Leader; Delaware State Sen. Greg Lavelle, Senate Republican Whip; Delaware State Sen. Anthony Delcollo; Delaware State Sen. Ernie Lopez; Delaware State Sen. Brian Pettyjohn; Ed Choice; Educate Nebraska; Education for a Brighter Future; Empower Mississippi; Ferris State University, President David Eisler; Florida Charter School Alliance; Florida Coalition of School Board Members; Florida Commissioner of Agriculture Adam Putnam; Florida State Chief Financial Officer Jeff Atwater; Florida State Rep. Michael Bileca; Florida State Rep. Manny Diaz, Jr.; Florida State Rep. Richard Corcoran, Speaker of the House; Florida State Rep. Jose Oliva, Speaker-Elect; Florida State Rep. Jose Felix Diaz; Focus on Family.

Foundation for Excellence in Education; Foundation for Florida's Future; Friends of Betsy DeVos, Ed Patru; Former Senate Majority Leader Bill Frist; Tim Forti; Principal, St. Mary's-ST. Alphonsus Catholic

School; George Washington University, Professor Henry Nau; Georgia Charter Schools Association; Georgia Secretary of State Brian Kemp; Georgia State Rep. Buzz Brockway; Georgia State Rep. Wes Cantrell; Georgia State Rep. David Clark; Georgia State Sen. David Shafer, President Pro Tem; Georgia State Rep. B.J. Pak (Former); Georgia State Rep. Ed Setzler; Georgia State Rep. Valencia Stovall; Kathy Lee Gifford; Gov. Robert Bentley, Alabama; Gov. Douglas Ducey, Arizona; Gov. Asa Hutchinson, Arkansas; Gov. Rick Scott, Florida; Gov. Jeb Bush, Former Governor of Florida; Gov. Edward Baza Calvo, Guam; 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 Burgman, North Dakota; Gov. Pete Ricketts, Nebraska; Gov. Brian Sandoval, Nevada; Gov. Chris Christie, New Jersey; Gov. Susana Martinez, New Mexico; Gov. Ralph Torres, N. Mariana Islands.

Gov. John Kasich, Ohio; Gov. Mary Fallin, Oklahoma; Gov. Bill Haslam, Tennessee; Gov. Greg Abbot, Texas; Gov. Scott Walker, Wisconsin; Great Lakes Education Project; Grand Rapids Area Chamber of Commerce; Grand Rapids City Commissioner Dave Schaffer; Grand Rapids Public Schools Superintendent Teresa Weatherall Neal; Great Schools for All Children; Jim Griffin, Charter school advocate; Debbie Groves, Teacher, Stonewall Jackson High School; Hawaii State Rep. Gene Ward; Frederick Hess, Director of Education Policy Studies, American Enterprise Institute; Hillsdale College President Larry Arnn; Hispanic CREA; Hispanics for School Choice; Mark Hoduski, Teacher, Maranatha Academy; Home School Legal Defense Association; Hope College, President Dr. John Knapp; Hope College, Trustee Lisa Granger; Idaho Charter School Network; Idaho State Rep. Scott Bedke, Speaker of the House; Illinois State Rep. John Cabello; Independence Institute; Independent Women's Voice; Indiana State Rep. Robert Behning; Indiana State Rep. Brian Bosma, Speaker of the House; Indiana State Sen. Brandt Hershman, Senate Majority Leader; Indiana State Sen. David Long, President Pro Tem; Institute for Better Education; Institute for Quality Education; Invest in Education Coalition, President Thomas Carroll; Invest in Education Foundation, Vice President Peter Murphy; Investigative Project on Terrorism; Iowa State Rep. Linda Upmeyer, Speaker of the House.

Jeffersonian Project; John Locke Foundation, Director of Research and Education Studies Terry Stoops, Ph.D.; Kansas Secretary of State Kris Kobach; Kansas State Sen. Susan Wagle, Senate President; Kent County Commissioner Mandy Bolter, Grand Rapids, MI; Kentucky State Sen. Robert Stivers, Senate President; Kentucky State Sen. Ralph Alvarado; Kentucky State Rep. Johnathan Shell, House Majority Leader; Roger Kiney, Teacher, Burlington-Edison High School; Ken Kreykes, Teacher, Chicago Christian School; The Libre Initiative; Log Cabin Republicans; Louisiana Association of Business and Industry; Louisiana Association of Charter Schools; Louisiana Federation for Children; Louisiana State Rep. Greg Cromer; Lt. Gov. Kay Ivey, Alabama; Lt. Gov. Tim Griffin, Arkansas; Lt. Gov. Kim Reynolds, Iowa; Lt. Gov. Evelyn Sanguinetti, Illinois; Lt. Gov. Suzanne Crouch, Indiana; Lt. Gov. Jeff Colyer, Kansas; Lt. Gov. Billy Nungesser, Louisiana; Lt. Gov. Brian Calley, Michigan; Lt. Gov. Tate Reeves, Mississippi; Lt. Gov. Dan Forest, North Carolina; Lt. Gov. Mike Foley, Nebraska; Lt. Gov. John Sanchez, New Mexico; Lt. Gov. Mark Hutchinson, Nevada; Lt. Gov.

Todd Lamb, Oklahoma; Lt. Gov. Rebecca Klefisch, Wisconsin; MacIver Institute; Mackinac Center for Public Policy; Macomb County Commissioner Leon Drolet, Macomb, MI; Maggie's List.

Maine State Sen. Michael Thibodeau, Senate President; Maine State Sen. Andre Cushing, Senate Assistant Majority Leader; Maryland State Sen. Stephen Hershey, Jr.; Maryland State Sen. Michael Hough; Maryland House Rep. Nic Kipke, House Republican Leader; Maryland House Rep. Kathy Szeliga; Massachusetts House Rep. Keiko M. Orrall; Metropolitan Milwaukee Association of Commerce; Metropolitan State University—Denver, Professor Kishore Kulkarni; Michigan Association of Non-Public Schools; Michigan Association of Public School Academies; Michigan Chamber of Commerce; Michigan Catholic Conference; Michigan Council of Charter School Authorizers; Michigan Republican National Committee (RNC) Member, Kathy Berden; Michigan Republican State Committee Member, Beverly Bodem; Michigan Republican Party, Former Chair Suzy Avery; Michigan Secretary of State Ruth Johnson; Michigan State Board of Education Co-President Dr. Richard Zeile; Michigan State Board of Education Member, Eileen Lappin Weiser; Michigan State Rep. Laura Cox; Michigan State Rep. Daniela Garcia, Assistant Majority Floor Leader; Michigan State Rep. Brandt Iden; Michigan State Rep. Clint Kesto; Michigan State Rep. Tom Leonard, Speaker of the House; Michigan State Rep. Aric Nesbitt (Former); Michigan State Rep. Amanda Price, Education Committee Chair; Michigan State Rep. Mary Whiteford; Michigan State Rep. Ken Yonkers; Michigan State Sen. Mike Green; Michigan State Sen. Peter MacGregor; Michigan State Sen. Michelle McManus (Former); Michigan State Sen. Arlan Meekhof, Senate Majority Leader; Michigan State Sen. Mike Shirkey; Michigan State Sen. Jim Stamas; Michigan State Sen. Phil Pavlov.

Michigan State University Board of Trustees, Chairperson Brian Breslin; Michigan State University Board of Trustees, Trustee Melanie Foster; Military Child Education Coalition; Military Families for High Standards; Military Officers Association of America (MOAA); Minnesota State Sen. Paul Gazelka, Senate Majority Leader; Minnesota State Rep. Kurt Daudt, Speaker of the House; Mission: Readiness; The Missouri Bar; Missouri Education Reform Council (MERC); Missouri State Rep. Shamed Dogan; Missouri State Rep. Rebecca Roeber; Montana State Rep. Ron Ehli, House Majority Leader; Montana State Rep. Austin Knudsen, Speaker of the House; Montana State Sen. Fred Thomas, Senate Majority Leader; Eva Moskowitz, Founder of Success Academy Charter Schools; National Alliance for Public Charter Schools; National Center for Family Learning; National Heritage Academies, Grand Rapids, MI; National Math + Science Initiative (NMSI); National Military Family Association; Navy League of the United States; Nevada State Assemblyman Paul Anderson, Floor Leader; Nevada State Assemblyman Chris Edwards; Nevada State Assemblyman John Ellison, Republican Whip; Nevada State Assemblyman John Hambrick; Nevada State Assemblyman Ira Hansen; Nevada State Assemblyman Al Kramer; Nevada State Assemblyman Lisa Krasner; Nevada State Assemblyman Jim Marchant; Nevada State Assemblyman Richard McArthur; Nevada State Assemblyman James Oscarson, Floor Leader; Nevada State Assemblyman Keith Pickard; Nevada State Assemblyman Robin Titus; Nevada State Assemblyman Jill Tolles; Nevada State Assemblyman Jim Wheeler, Floor Leader.

Nevada State Assemblywoman Melissa Woodbury, Republican Whip; Nevada State

Sen. Don Gustason; Nevada State Sen. Scott Hammond; Nevada State Sen. Joe Hardy; Nevada State Sen. Michael Roberson, Senate Republican Leader; New Hampshire State Rep. Victoria Sullivan, Member of Committee on Education; New Hampshire State Sen. Andy Sanborn; New Jersey State Rep. Sen. Tom Kean, Senate Republican Leader; New Jersey Tri-County Scholarship Fund; New Mexico State Rep. Alonzo Baldonado, House Republican Whip; New Mexico State Rep. Nate Gentry, House Republican Leader; New Mexico State Rep. Monica Youngblood; New York State Catholic Conference; New York State Sen. John Flanagan, Senate Majority Leader; North Carolina Association of Public Charter Schools; North Carolina State Rep. Pat McElraft, Deputy Majority Whip; North Carolina State Sen. John Alexander; North Carolina State Sen. Deanna Ballard; North Carolina State Sen. Chad Barefoot, Co-Chair for Committee on Education; North Carolina State Sen. Phil Berger, President Pro Tem; North Carolina State Sen. Harry Brown, Majority Leader; North Carolina State Sen. Bill Cook; North Carolina State Sen. David Curtis, Co-Chair for Committee on Education; North Carolina State Sen. Cathy Dunn; North Carolina State Sen. Kathy Harrington; North Carolina State Sen. Brent Jackson; North Carolina State Sen. Joyce Krawiec, Member, Committee on Education; North Carolina State Sen. Michael Lee, Co-Chair, for Committee on Education; North Carolina State Sen. Wesley Meredith, Majority Whip; North Carolina State Sen. Paul Newton; North Carolina State Sen. Ronald Rabin; North Carolina State Sen. Bill Rabon; North Carolina State Sen. Norman Sanderson; North Carolina State Sen. Tommy Tucker.

North Dakota State Rep. AL Carlson, House Majority Leader; Northeast Charter Schools Network; Northwest Ohio Scholarship Fund; Ohio State Rep. Niraj Antani; Ohio State Rep. Keith Faber; Ohio State Rep. Cliff Rosenberger, Speaker of the House; Oklahoma State Rep. Ryan Martinez; Oklahoma State Rep. T.W. Shannon, Former Speaker of the House; O'More College of Design, President David Matthew Rosen; Oregon State Rep. Michael McLane, Republican Leader; Oregon State Sen. Ted Ferrioli, Republican Leader; Oregon State Sen. Jackie Winters; Secretary of Education Rod Paige; Parents for Educational Freedom in North Carolina (PEFNC); Lawrence C. Patrick, Former President of Detroit Board of Education; Pennsylvania Coalition for Public Charter Schools; Pennsylvania State Rep. David Reed, Majority Leader; Pennsylvania State Rep. Mike Turzai, Speaker of the House; Prep Net; Public School Options; Rachel and Drew Katz Foundation; Ready Colorado; Reason Foundation; Rhode Island State Rep. Patricia Morgan, House Republican Leader; Secretary of State Condoleezza Rice; Rio Grande Foundation; Assistant Secretary of Labor Doug Ross; S4 Group; Kathleen Shober, Teacher, McKaskey High School; School Choice Wisconsin; SchoolForward; Secretary of Education Margaret Spellings; Step Up; Student Leadership University; South Carolina African American Chamber of Commerce; South Carolina Secretary of State Mark Hammond.

South Carolina State Rep. Phyllis Henderson, House Majority Whip; South Dakota State Rep. Brian Gosch (Former); South Dakota State Rep. Kristin Langer, House Majority Whip; Tarrent County College Professor Robert Sherwood; Tennessee Federation for Children; Tennessee Secretary of State Tre Hargett; Tennessee State Rep. Kevin Brooks; Tennessee State Rep. Glen Casada; Tennessee State Rep. Michael Curcio; Tennessee State Rep. Martin Daniel; Tennessee State Rep. John DeBerry, Jr.;

Tennessee State Rep. Tilman Goins; Tennessee State Rep. Andy Holt; Tennessee State Rep. Dan Howell; Tennessee State Rep. Sabi Kumar; Tennessee State Rep. Mark Lovell; Tennessee State Rep. Pat Marsh; Tennessee State Rep. Jimmy Matlock; Tennessee State Rep. Debra Moody; Tennessee State Rep. Dennis Powers; Tennessee State Rep. Jay Reedy; Tennessee State Rep. Courtney Rogers; Tennessee State Rep. Jerry Sexton; Tennessee State Rep. Paul Sherrell; Tennessee State Rep. Eddie Smith; Tennessee State Rep. Mike Sparks; Tennessee State Rep. Tim Wriggau; Tennessee State Rep. Dawn White; Tennessee State Rep. Mark White; Tennessee State Rep. Jason Zachary; Tennessee State Sen. Mike Bell; Tennessee State Sen. Dolores Gresham; Tennessee State Sen. Todd Gardenhire; Tennessee State Sen. Ferrell Haile; Tennessee State Sen. Ed Jackson; Tennessee State Sen. Brian Kelsey; Tennessee State Sen. Bill Ketron; Tennessee State Sen. John Stevens; Tennessee State Sen. Jim Tracy.

Texas Charter Schools Association; Texas for Education Opportunity; Texas State Rep. Larry Gonzales; Thomas B. Fordham Institute; Today and Tomorrow Educational Foundation; Tomorrow's Hope Foundation; Union of Orthodox Jewish Congregations of America; University of Louisville Associate Professor Alexei Izumov;

University of Michigan, President Emerita Mary Sue Coleman; University of Michigan, Regent Andrew Fischer Newman; University of Texas at Austin Professor Daniel Bonevac; University of Wisconsin at Milwaukee Professor Shale Horowitz; U.S. Chamber of Commerce; U.S. House Rep. Rick W. Allen, Member of Education and Workforce Committee; U.S. House Rep. Justin Amash; U.S. House Rep. Jack Bergman; U.S. House Rep. Lou Barletta, Member of Education and Workforce Committee; U.S. House Rep. Mike Bishop, Member of Education and Workforce Committee; U.S. House Rep. Marsha Blackburn; U.S. House Rep. Dave Brat, Member of Education and Workforce Committee; U.S. House Rep. Bradley Byrne, Member of Education and Workforce Committee; U.S. House Rep. Virginia Foxx, Chair of Education and Workforce Committee; U.S. House Rep. Trent Franks; U.S. House Rep. Louie Gohmert; U.S. House Rep. Glenn Grothman, Member of Education and Workforce Committee; U.S. House Rep. Andy Harris; U.S. House Rep. Bill Huizenga; U.S. House Rep. Duncan Hunter, Member of Education and Workforce Committee; U.S. House Rep. Steve King; U.S. House Rep. Jason Lewis, Member of Education and Workforce Committee.

U.S. House Rep. Blaine Luetkerneyer; U.S. House Rep. Luke Messer, Member of Education and Workforce Committee; U.S. House Rep. Paul Mitchell, Member of Education and Workforce Committee; U.S. House Rep. John Moolenaar; U.S. House Rep. Aumua Amata Coleman Radewagen; U.S. House Rep. James B. Renacci; U.S. House Rep. Todd Rokita, Member of Education and Workforce Committee; U.S. House Rep. Francis Rooney, Member of Education and Workforce Committee; U.S. House Rep. Dave Trott; U.S. House Rep. Fred Upton; U.S. House Rep. Tim Walberg, Member of Education and Workforce Committee; U.S. House Rep. Joe Wilson, Member of Education and Workforce Committee; U.S. House Rep. Ted S. Yoho, DVM; Former U.S. House Rep. Dave Camp (MI); Former U.S. House Rep. Pete Hoekstra (MI); Former U.S. House Rep. Mike Rogers (MI); Utah State Rep. Kim Coleman; Utah State Rep. Greg Hughes, Speaker of the House; Utah State Sen. Todd Weiler; Valencia College, President Dr. Sanford Shugart; Vermont State Rep. Don Turner, House Republican Leader; Virginia State Del. Bill Howell, Speaker of the House.

Virginia State Sen. Ryan McDouble, Chair of Senate Republican Caucus; Virginia Tech Professor Ken Stiles; Washington and Lee University Professor Robert Dean; Washington State Sen. Mark Schoesler, Senate Majority Leader; Tom Watkins, former Michigan State Superintendent of Schools; Wayne State University, Board of Governors Member David Nicholson; Ronald Weiser, Former U.S. Ambassador to Slovakia; West Virginia State Rep. Eric Nelson, Chair of House Republican Caucus; West Virginia State Rep. Jill Upson, Member of Committee on Education; Anthony Williams, Former Mayor of Washington, DC; Wisconsin Assemblywoman Jessie Rodriguez; Wisconsin Assemblyman Robin Vos, Speaker of the House; Wisconsin Federation for Children; Wisconsin Institute for Law and Liberty; Wisconsin Manufacturers and Commerce; Wisconsin State Rep. Jessie Rodriguez; Wisconsin State Sen. Scott Fitzgerald, Senate Majority Leader; Wisconsin State Sen. Leah Vukmir, Assistant Majority Leader; Kenneth Witt, Former President, Jefferson County Board of Education; Cardinal Donald Wuerl, Archbishop of Washington DC; Wyoming State Rep. Steven Harshman, Speaker of the House; Wyoming State Sen. Eli Bebout, Senate President; Young America's Foundation.

Mr. ALEXANDER. Mr. President, was there not enough time to question her? I wonder. We treated her just like we did President Obama's Education Secretaries. She offered to meet with the Democrats in December. They refused. She finally met with them in their offices.

Then she testified for 90 minutes longer than either of President Obama's Education Secretaries before our committees.

Then there were followup questions. We asked President Obama's Education Secretaries 53 and 56 questions; they asked her 1,400 questions. Then they met, and one of their Members announced that they all agreed to vote against her before she had a chance to answer the questions. What does that say about those questions?

She has conflicts of interest? We have a procedure for that, an independent conflicts of interest office, the Office of Government Ethics. The head was appointed by President Obama, confirmed by the Senate. He has an agreement with every Cabinet member about conflicts of interest. He wrote a letter to us 8 days before we voted on her and said she would have no conflict of interest if she followed this agreement.

So plenty of time for questions, no conflict of interest. What is the problem?

One, her support for public charter schools. Some people don't like that. But 2.7 million children attend them. They were founded by the Democratic Farmer-Labor Party in Minnesota. They have now grown to 6,800 schools. They are the most effective public school reform in 30 years.

School choice. What is wrong with giving low-income Americans more choice and better schools? We have done it since the GI bill from 1944—taxpayer money following veteran students to Notre Dame, Yeshiva, Harvard, the National Auto Diesel College.

Has it hurt the public universities, of which I used to be President of one? It has helped them. Then, more people went to private schools, and now more people go to public colleges.

Betsy DeVos has committed to no more Washington mandates. No more national school board, no Washington mandates for vouchers, no Washington mandates for common core, no Washington mandates for specific kinds of teacher evaluations with Betsy DeVos in charge of the Department of Education.

One year ago, we had no Education Secretary. I asked President Obama to appoint one, even though I knew he would appoint John King, with whom I disagreed. I promised that if he did, we would promptly confirm him, and we did. We asked him 53 questions, not 1,397. We didn't say he had conflicts of interest when the Office of Government Ethics said he did not.

I know my friends are surprised about the election, but wouldn't they be really surprised if he appointed someone from within the education establishment to be the Secretary of Education? Wouldn't you be surprised that a Republican President would be for charter schools? Are you really surprised that a Republican President has appointed an Education Secretary who wants to give low-income children more choices of schools? Are you surprised that a Republican President has nominated an Education Secretary who wants to reverse the trend to a national school board and restore local control?

I am supporting her because she wants to do that, because she has led the most effective—

The PRESIDING OFFICER. The Senator has used 4½ minutes.

Mr. ALEXANDER. Thank you, Mr. President.

She has led the most effective public school reform movement over the last 30 years and she has a commitment to help low-income children.

I would say to my Democratic colleagues, we confirmed President Obama's first Education Secretary in 7 days—on the day he was inaugurated; his second one in 3 weeks, just as we will Betsy DeVos today. You may disagree with the new President, but the people elected him, and I urge you to give the new Republican President the opportunity to choose his own Education Secretary, just like we did with the Democratic President 8 years ago and a year ago, even though we disagreed just as much with their view on Federal policy on local schools as you do with her policy and President Trump's policy on school choice.

The PRESIDING OFFICER. The Senator has used 5 minutes.

Mr. ALEXANDER. Mr. President, I urge a "yes" vote.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. SCOTT. Mr. President, as we close this debate on Betsy DeVos, this debate should really be about public

education. I support public education. Education is the closest thing to magic in America. Let me say again that again. Education is the closest thing to magic in America. I experienced that magic.

As a kid growing up in a single-parent household, mired in poverty, disillusioned about life, I nearly flunked out as a freshman. I thank God for public education. But far too many kids—too many millions of kids today—do not have a quality educational choice in their communities. And what does that mean? There is a high correlation between incarceration, high unemployment, and lower lifetime incomes for those students who do not have quality public education.

This Nation—the greatest Nation on Earth—has afforded a kid who almost dropped out of high school to become a U.S. Senator. Why? Because I found a path that included public education, and quality public education.

So what does it look like in some of our cities? Let me give my colleagues an example from Detroit. Only 9 percent of African-American kids meet standards for English. Thirteen percent of White kids meet standards or exceed standards in English, and 12.5 percent of Hispanic kids meet or exceed standards in English in Detroit. We need to make sure that every child in every ZIP Code has a quality choice.

The Secretary of Education cannot—cannot—privatize education. That would take an act of Congress.

So, yes, we should have a passionate debate about education, and yes, we should make sure—make sure—that the focus of that debate is on the kid.

The PRESIDING OFFICER (Mr. TILLIS). The Senator's time has expired.

PRAYER

Pursuant to rule IV, paragraph 2, the hour of 12 noon having arrived, the Senate having been in continuous session since yesterday, the Senate will suspend for a prayer from the Senate Chaplain.

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

God of mercy and light, we are in Your hands, and we rejoice because of the power of Your presence. Do with us what seems good in Your sight.

Lord, in the welter and variety of decisionmaking, with its alternating and fluctuating intricacies, give our lawmakers a deeper appreciation for a conscience void of offense toward You or humanity. Today, show mercy to the Members of this legislative body. Let Your sovereign hand be over them and Your Holy Spirit ever be with them, directing all their thoughts, words, and works for Your glory. Lord, prosper the labors of their hands, enabling them in due season to reap a bountiful harvest if they faint not.

We pray in Your merciful Name. Amen.

The PRESIDING OFFICER. All postcloture time having expired, the

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

Mr. DURBIN. 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.

The result was announced—yeas 50, nays 50, as follows:

[Rollcall Vote No. 54 Ex.]

YEAS—50

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

NAYS—50

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
Collins	Leahy	Tester
Coons	Manchin	Udall
Cortez Masto	Markey	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murkowski	Wyden
Franken	Murphy	

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50.

The Senate being equally divided, the Vice President votes in the affirmative, and the nomination is confirmed.

The majority leader.

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

The VICE PRESIDENT. The question is on the motion to reconsider.

Mr. McCONNELL. I move to table the motion to reconsider.

The VICE PRESIDENT. The question is on agreeing to the motion to table.

The motion was agreed to.

CLOTURE MOTION

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

The PRESIDING OFFICER (Mr. CRUZ). 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 Jeff Sessions, of Alabama, to be Attorney General.

Mitch McConnell, Johnny Isakson, Jeff Flake, Steve Daines, James Lankford, Dan Sullivan, Thom Tillis, Rob Portman, John Hoeven, Roger F. Wicker, John Thune, Deb Fischer, James M. Inhofe, Tim Scott, Lindsey Graham, Jerry Moran, Pat Roberts.

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

The question is, Is it the sense of the Senate that debate on the nomination of JEFF SESSIONS, of Alabama, to be Attorney General shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. SESSIONS (when his name was called). Present.

The yeas and nays resulted—yeas 52, nays 47, as follows:

[Rollcall Vote No. 55 Ex.]

YEAS—52

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

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
Collins	Leahy	Udall
Coons	Manchin	Van Hollen
Cortez Masto	Markey	Warner
Donnelly	McCaskill	Warren
Duckworth	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Murphy	
Franken	Murphy	

ANSWERED “PRESENT”—1

Sessions

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 47. One Senator responded “present.”

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of JEFF SESSIONS, of Alabama, to be Attorney General.

The PRESIDING OFFICER. The Senator from Mississippi.

RECESS

Mr. WICKER. Mr. President, I ask unanimous consent that the Senate stand in recess until 2:30 p.m. today