

help they provided to our fighting men and women.

Yet Senator SESSIONS, as we were trying to extend that program, was unwilling to allow us to make sure that we could bring them to the United States, with all of the vetting that goes on to make sure that the people who come here are actually people who helped us. He opposed extending that program to allow all of those folks to come here.

I believe we need an Attorney General who will not only insist on equal enforcement of the laws but who has a passion for pursuing justice and fairness for all Americans, as well as for those who want to visit or who want to immigrate to the United States. In my view, Senator SESSIONS has failed to demonstrate that commitment.

Indeed, I worry that as Attorney General, Senator SESSIONS would affirm and encourage Trump's most troubling tendencies, especially with regard to minorities, to women, to immigrants, and to the LGBTQ community. I believe Senator SESSIONS is the wrong person for the critically important post of U.S. Attorney General. I intend to vote against his confirmation.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I yield the remainder of my postclosure debate time to Senator SCHUMER. I want to thank Senator THUNE for his courtesy.

The PRESIDING OFFICER. The Senator has that right.

The Senator from South Dakota.

Mr. THUNE. Mr. President, we continue to just sort of—at a glacial pace—work our way through the nominations. We have in front of us the nomination for Attorney General of Senator JEFF SESSIONS, a colleague of ours. I am very excited to be able to support his nomination to be the next Attorney General of the United States.

But unfortunately it is taking an extraordinarily long time for us to plow through this because Democrats continue to use procedural roadblocks to keep the administration from being able to get their team in place. I say that, having concluded today, based on the research that we have been able to assemble, that this is the slowest pace for Cabinet approval since George Washington.

Now, that sounds a little melodramatic, but I think it is accurate. In fact, if you go back to the Eisenhower administration and roll forward to today, every President, going back to Eisenhower, has had their Cabinet completely or mostly in place by today. In fact, going back to the 1880s and up through the 1930s, the entire Cabinet for those administrations was approved on day one—day one of the Presidency.

Here we are, as we again continue to run into dilatory tactics by the Democrats here in the Senate. There have been now, I think, seven of the Cabinet-level nominees of President Trump in who have been confirmed. At this point

in President Obama's first term in office, there were 21 confirmed. So this idea that somehow some purpose is achieved or some goal accomplished by dragging this process on, I think, does a great disservice to the American people who, when they voted last fall, voted with an expectation that when they put a new President in office, that President would be able to assemble his team and get them about the important work of governing this country.

So it is regrettable that we are where we are. It is unprecedented and historic, the levels to which the Democrats here in this Chamber have taken their attempts to slow this process down. I hope that will change. I hope we can get back on track here, get this team put in place, and then let's get on with the important work we have to do.

There is a lot of stuff that needs to be done to make this country stronger, more competitive, safer for Americans today, to get the economy growing at a faster rate, to create better-paying jobs, and increase wages. There is just a lot of stuff that this body needs to be working on. Right now, what we are doing is simply human resources business. We are trying to confirm people to positions, but it could go so much smoother, so much easier, so much more quickly, and so much more efficiently if we would just get a little cooperation from the Democrats in the Senate. I hope that will happen because this is unprecedented, as I said, in the level of degree to which the Democrats are stooping.

NOMINATION OF NEIL GORSUCH

Last week, President Trump announced his nomination for the Supreme Court. He made an outstanding choice. Judge Neil Gorsuch has a distinguished resume. He graduated with honors from Harvard Law School and went on to receive a doctorate in legal philosophy from Oxford University, where he was a Marshall scholar.

He clerked for two Supreme Court Justices, Byron White and Anthony Kennedy. He worked in both private practice and at the Justice Department before being nominated to the Tenth Circuit Court of Appeals where he served with distinction for 10 years. He is widely regarded as a brilliant and thoughtful jurist and a gifted writer whose opinions are known for their clarity.

Above all—above all—he is known for his impartiality, for his commitment to following the law wherever it leads, whether he likes the results or not. A judge who likes every outcome he reaches is very likely a bad judge, Judge Gorsuch has said more than once. Why? Because a judge who likes every outcome he reaches is likely making decisions based on something other than the law. That is a problem.

The job of a judge is to interpret the law, not to write it; to call balls and strikes, not to design the rules of the game. Everyone's rights are put in jeopardy when judges step outside their

appointed role and start changing the meaning of the law to suit their personal opinions.

Judge Gorsuch's nomination has been greeted with praise by liberals as well as conservatives. I think one of the biggest reasons for that is that both groups know that Judge Gorsuch can be relied on to judge impartially. Here is what Neal Katyal, an Acting Solicitor General for President Obama had to say about Judge Gorsuch:

I have seen him up close and in action, both in court and on the Federal Appellate Rules Committee (where both of us serve); he brings a sense of fairness and decency to the job and a temperament that suits the Nation's highest Court. I, for one, wish it were a Democrat choosing the next justice, but since that is not to be, one basic criterion should be paramount: Is the nominee someone who will stand up for the rule of law and say no to a President or Congress that strays beyond the Constitution and law?

I have no doubt that if confirmed, Judge Gorsuch would help to restore confidence in the rule of law.

His years on the bench reveal a commitment to judicial independence, a record that should give the American people confidence that he will not compromise principle to favor the President who appointed him.

Again, those are the words of Neal Katyal, formerly an Acting Solicitor General for President Obama.

When Judge Gorsuch was nominated to the Tenth Circuit Court of Appeals, his nomination sailed through the Senate. Both of his home State Senators—one a Republican and one a Democrat—supported his nomination, and he was confirmed by a unanimous vote.

Then-Senator Obama could have objected to the nomination. He didn't. Senator SCHUMER could have objected to the nomination. He didn't. Then-Senators Biden or Clinton or Kennedy could have objected to the nomination, but they didn't. Why? Presumably because they saw what almost everybody sees today; that Judge Gorsuch is exactly the kind of judge we want on the bench—supremely qualified, thoughtful, fair, and impartial.

Unfortunately, this time around, some Senate Democrats are being less public-spirited. They are upset that their party didn't win the Presidential election so they are threatening to filibuster an eminently qualified nominee, an eminently qualified nominee that a number of them had previously supported.

The Democratic leader recently said:

Now more than ever, we need a Supreme Court Justice who is independent, eschews ideology, who will preserve our democracy, protect fundamental rights, and will stand up to a President who has already shown a willingness to bend the Constitution.

That, of course, is precisely the kind of judge that Judge Gorsuch is, as pretty much everyone who knows him—both liberal and conservative—can attest, but leaving that aside, if the Democratic leader really has these concerns about Judge Gorsuch, why did he allow him to receive a unanimous confirmation to the Tenth Circuit?

Surely, if he had these concerns, it was his obligation to speak up.

No one likes to lose an election, but that is what happens in a democracy, and throwing a temper tantrum and refusing to play ball after you lose is not the most enlightened response. Democrats are not really concerned that Judge Gorsuch is a raving rightwing ideologue. When liberal after liberal attests to his fairness and impartiality, it is pretty hard to pretend that he is anything but an excellent pick for the Supreme Court. Democrats just don't want to confirm him because they are mad that President Trump is the one who nominated him.

Well, it is time for them to get over that. It is one thing to oppose the President when he does something they believe truly endangers our country; it is another thing entirely for them to oppose this outstandingly well-qualified nominee because they are still upset about the election.

Republicans lost the Presidential elections in 2008 and 2012, but we allowed up-or-down votes when President Obama nominated Justices Elena Kagan and Sonia Sotomayor. Had this election gone the other way, we were prepared to consider a Hillary Clinton nominee.

It is time for Democrats to stop threatening obstruction and to get down to the business of considering Judge Gorsuch's nomination.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I just wanted to take a minute. I know we have several people waiting to speak, but I wanted to respond to my colleague from South Dakota because I think for Senator THUNE to come to the floor and castigate Democrats for holding up Judge Gorsuch, who has just been nominated, and for suggesting we are going to filibuster, the fact is, throughout most of last year, we saw the Republican majority in this body hold up the nominee Merrick Garland, President Obama's nominee.

For the first time in history, this body refused to hold a hearing on a nominee for the Supreme Court, refused to give an up-or-down vote, and to suggest that we should not get a fair hearing on the nominee to the Supreme Court—Judge Gorsuch—I think is just not someone who is going to be good for the American people.

Unlike the Republican majority, I haven't heard any Democrats saying: We don't think that Judge Gorsuch should get a hearing or that he should get an up-or-down vote. Everybody I have talked to agrees he should get a hearing and an up-or-down vote.

As for the time that it is taking us to review the nominees of this administration, the fact is, the Trump administration was delayed in putting forward nominees. They were much later than the previous two Presidents. We are still waiting for many of those nominees to provide the background

information that is required for those positions to have the background checks done, to have the questions that have been put forward to them in hearings answered. So I think we should all work together to move these nominees. That is what I have done on the Small Business Committee as the ranking member, and we have worked very well because that nominee provided all the required information. She had the FBI background check done, and we were able to hold a hearing on her. Well, that is what we expect from every nominee.

So I am disappointed to hear my colleague come down and say that we are not going to give Judge Gorsuch a fair hearing. I think we are going to do that, but we are going to do it in a way that provides information to the American people so we all know where this judge stands and what he thinks about the role on the Supreme Court.

I think rather than name-calling, it would be more effective for us to work together to get this done.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I will just point out to the Senator from New Hampshire—perhaps she knows it, perhaps she doesn't, but her leader has suggested a 60-vote threshold for this nominee.

I am delighted to hear her say that they are going to provide a hearing for consideration. I hope that she, like all of our colleagues, will provide this judge an opportunity to be heard, to respond to questions because I think they will find, as most of us who have looked at his record, that this is an exceptionally well-qualified judge. He is a very bright legal mind and somebody who I think understands what the role of a judge is in our constitutional democracy.

With respect to the nominees we are considering, we are here right now, and the Senator from New Hampshire and some of her colleagues were here overnight last night stalling, if you will, to allow for votes on nominees that have been put forward by this administration.

I don't think you can dispute the record. At this time 8 years ago, President Obama had 21 of his nominees in place. This President has seven. What I mentioned earlier, you have to go back to the time of Dwight Eisenhower, roll back to today, and every President from that point forward has had, on this day, all or most of their nominees in place and confirmed by the Senate. So there is no question. There is no question what is going on here.

I am not calling anybody names. I am just pointing out what I see every single day; that is, foot-dragging and delays and obstruction trying to prevent a President—whom they, understandably, didn't like getting elected—from being able to get his team in place.

All I am simply saying is I think the American people expect more of us, I

think they expect better of us, and I think we have to answer the call to duty to allow that team to be put in place so this President and his team can go about the important business of governing this country.

But you cannot dispute the facts with respect to the number of nominees who have been confirmed to date with this President and Presidents going back in history, and I said earlier, you have to go back to George Washington. I think that is accurate. I think you have to go back a long way in the annals of history to find any time where you see what is happening today happen in the Senate with any President historically of either party.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I want to take a few minutes to talk about a couple of my friends. I want to say a few words and praise President Trump's nomination of Judge Neil Gorsuch to the Supreme Court of the United States.

I first met Judge Gorsuch several years ago when I met with several circuit court judges for a dinner. He was and has been impressive. Judge Gorsuch is an admirable choice to be America's next Supreme Court Justice. His many years of dedication to the law and service to America's judicial system clearly qualify him to serve on America's highest Court.

His work itself speaks highly of his understanding of the Constitution and the values that we, as Americans, hold dear. Some of the first signs Judge Gorsuch would be a great jurist happened just around the corner from here in Washington, DC, where he won a national debate championship in high school.

He attended college at Columbia University and received a scholarship to attend Harvard Law School. As a new lawyer, he was back here in Washington learning from some of the best jurists in America. He performed clerkships first to the U.S. Supreme Court of Appeals for the DC district court and later for Justice Byron White and Anthony Kennedy at the U.S. Supreme Court.

After working in private practice and at the Department of Justice, in 2006, President George W. Bush nominated Judge Gorsuch to serve as the U.S. Court of Appeals for the Tenth Circuit—that is my circuit. The Senate confirmed him by voice vote. Let me say that again. In 2006, this body was so confident about Neil Gorsuch, his character and his qualifications to serve as a Federal judge—yes, a circuit court judge—that he was confirmed without anyone even asking for a recorded vote. I consider that unanimous.

On the bench of the busy Tenth Circuit, Judge Gorsuch has proven he takes seriously his duty to uphold the Constitution. He is known for his legal opinions that stridently defend our

most fundamental constitutional rights and for writing those opinions in a way that is engaging and easy to understand.

He knows that his work as a judge is about serving this institution, not his personal preferences. As he said recently at the White House, shortly after his nomination was announced by President Trump, “A judge who likes every outcome he reaches is very likely a bad judge stretching for results he prefers rather than those the law demands.”

I love that quote.

As a uniquely exceptional scholar and respected jurist, not to mention a fellow westerner and avid outdoorsman who shares my love of fly fishing, he is the kind of man I trust to serve America on the highest Court of the land.

I have met Judge Gorsuch, and he has a lot of support from folks in Wyoming, in the Wyoming legal community, and from both parties. I got calls from people of both parties saying he is the one we want to put up. I know and I trust those people, and I know and trust Judge Gorsuch, and I value those people’s opinions. I believe he has a good understanding of the legal issues that matter to people in my home State.

I would be remiss if I didn’t state my disappointment in all the unproductive distraction about this pick by activists bent on politicizing the judicial nomination process. If their rhetoric and antics in the last days and weeks have told us anything, it is that no matter who President Trump nominated to fill the spot on the Supreme Court, they would have objected—no matter how learned, how objective, or how many hundreds of hours a nominee had already spent on the bench.

In November, millions of people went to the polls and rejected this kind of tired partisan bickering when they voted for a change in Washington. Those same voters went to the polls knowing that there was a vacancy on the Supreme Court and that whoever became the next President would choose the nominee.

Mr. President, among our most important duties, as Members of this body, is carefully vetting all nominees who come before us. Never is that responsibility so stark and so substantial as when our Nation faces a vacancy on the Supreme Court.

I believe Judge Neil Gorsuch is up to the solemn and mighty task of serving as the next Associate Justice of the Supreme Court. I look forward to a timely and fair confirmation process focused on Judge Gorsuch’s qualifications.

Now I want to talk a little bit about my other friend. I rise in support of President Trump’s nominee to serve as the next Attorney General of the United States. That is my good friend and colleague Senator JEFF SESSIONS of Alabama.

Senator SESSIONS is an admirable and appropriate choice to be America’s next Attorney General. His many years

of legal practice, his service as a U.S. attorney, and as Alabama’s attorney general, and 20 years of legislative service in the U.S. Senate have prepared him well to lead America’s Department of Justice. His work itself speaks highly of his understanding of the Constitution, of his respect for the law, and of his reverence for the values that we as Americans hold dear. JEFF SESSIONS is qualified to be the next U.S. Attorney General because he spent decades studying and practicing the law.

He grew up in a small town in Alabama and worked his way through college before studying law at the University of Alabama. Senator SESSIONS began his law practice at a small firm, where he worked on cases involving probate matters, domestic relations, criminal defense, real estate, wills, and civil litigation—what a combination.

He then worked as an assistant U.S. attorney in the Southern District of Alabama from 1975 to 1977. In that position, he handled a variety of cases at the trial level, including those related to wrongful death, gun violations, forgeries, bank robberies, drugs, and enforcing criminal penalties for pollution.

I am not an attorney myself, but I understand those are exactly the kinds of cases that teach foundational legal skills to a young attorney—managing a docket that may include dozens of cases at any one time; working long hours to track down key evidence and witnesses; developing relationships with investigators and closely advising them to ensure relevant and admissible evidence is gathered lawfully; giving up nights and weekends to prepare witnesses, motions, and arguments for trial to get a case across the finish line; and conferring with victims to assure they are afforded the rights guaranteed to them by law.

That kind of hard work and legal training paid off in 1981, when Senator SESSIONS was nominated by President Ronald Reagan to serve as the U.S. Attorney for the Southern District of Alabama. For the next 12 years JEFF SESSIONS represented Federal agencies in legal controversies, prosecuted criminal cases, collected debts owed to the government, and defended the civil rights of U.S. citizens. He did this while also serving his country in the U.S. Army Reserve from 1973 to 1986. He worked as a transportation officer and later as a military attorney, where the Army no doubt benefited greatly from his years of civilian legal training and practice.

In 1995, Senator SESSIONS was elected attorney general for the State of Alabama, and he served for 2 years as the State’s chief legal officer. Two years later he was elected to the U.S. Senate.

I was first elected to the Senate in that same year, and JEFF SESSIONS has been my friend ever since. But I personally know the man, not just the Senator, and I believe him to be a caring person who wants justice for people

and has compassion for people, no matter their backgrounds.

During his 20 years in the Senate, JEFF SESSIONS has worked on many tough legislative issues that further qualify him to serve as Attorney General. As a member of the Senate Judiciary Committee, he has fought for the confirmation of judges committed to following the law. Consistent with his experience as a prosecutor, he has led successful legislative efforts to improve law and order, many times working with his colleagues across the aisle. He worked with another of my good friends, the late Senator Ted Kennedy, on legislation to reduce sexual assaults in prisons. He worked with Senator DURBIN to pass legislation in 2010 to bring fairness to Federal drug sentencing and provide tougher penalties to repeat drug traffickers.

But his efforts haven’t been limited to the Judiciary Committee. As a member of the Senate Armed Services Committee, he has been a strong advocate for America’s military and for those who serve in it. In 2006, he worked with Senator Lieberman to pass a law increasing death benefits for family members of fallen combat personnel and to increase Servicemembers Group Life Insurance benefits.

He has worked to restrain the growth of Federal spending and rebalance Federal funding for HIV/AIDS treatment through the Ryan White CARE Act. Those are just a few of his many legislative accomplishments as a U.S. Senator.

JEFF SESSIONS is a well-educated attorney, an accomplished prosecutor, and a skilled legislator. But I also believe his character, work ethic, and temperament make him well-suited to serve as the chief law enforcement officer of the Federal Government.

As I mentioned, he has been my friend and colleague for over 20 years. So I am proud to personally attest to this. He is a man who is guided by his principles. He is very active in his family’s church back in Mobile and in the entire Methodist community of Alabama. He and his wife Mary have raised three wonderful children who have given them ten grandchildren.

I believe Senator SESSIONS has the experience, character, and drive to be a fantastic Attorney General. If confirmed, he is committed to strengthening partnerships between Federal and local law enforcement officers to fight crime, and, specifically, to take out drug cartels and criminal gangs. He has vowed to prosecute criminals who use guns in committing crimes. And he will prosecute individuals who repeatedly violate America’s immigration laws.

In November millions of voters went to the polls and voted for change. I believe the priorities Senator SESSIONS will pursue if confirmed as Attorney General are shared by those voters. I would note the many organizations and individuals who have endorsed his nomination, including the Fraternal Order

of Police, the National Sheriffs' Association, and 25 State attorneys general. These are people at the frontlines of law enforcement, and I think they know what it takes to make a great Attorney General.

Among our most important duties as Members of this body is to carefully vet all nominees that come before us. We have before us an opportunity to support the nomination of a man of high moral character, whose training, education, and professional experience make him extremely well-qualified to serve our country. I urge my colleagues to join me in supporting Senator JEFF SESSIONS to serve as our next U.S. Attorney General.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, I yield the remainder of my debate time to Senator SCHUMER.

The PRESIDING OFFICER. The Senator has that right.

The Senator from California.

Mrs. FEINSTEIN. Mr. President, I yield one hour of the time under my control to Senator BOOKER.

The PRESIDING OFFICER. The Senator has that right.

Mrs. FEINSTEIN. And I yield 30 minutes of my time to Senator LEAHY.

The PRESIDING OFFICER. The Senator has that right.

Mrs. FEINSTEIN. And I yield 10 minutes of my time to Senator KLOBUCHAR.

The PRESIDING OFFICER. The Senator has that right.

Mrs. FEINSTEIN. I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. I yield one hour under my control to Senator MURPHY.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise today to join my colleagues and make remarks on Senator SESSIONS' nomination to serve as Attorney General. I will be coming back later this evening to focus on voting rights and some of the other issues at hand—freedom of the press, antitrust. I am actually the ranking member on that subcommittee, and while Senator SESSIONS has assured me that if confirmed, he will keep the independence of that part of the Justice Department away from outside influence from the White House, I am very focused on that because I think we have seen a wave of mergers, and I want to address that more in depth later.

I worked successfully with Senator SESSIONS on a number of UC's over the years such as adoption and human trafficking. We have worked together well, and if he is confirmed, I am sure we will find some areas of common agreement. I am not supporting him, however, and I have told him this in person and I have talked about it at the Judiciary Committee because of my concerns relating to some of his views on

some of the core functions of the Justice Department, and that is enforcing voting rights, the handling of immigration issues, the freedom of the press, and the Violence Against Women Act.

Now, he has assured me that he will keep the Office on Violence Against Women funded—which I appreciate—in the Justice Department, but I was very concerned that he had actually voted against the Violence Against Women Act Reauthorization recently. It was something that the majority of Republican Senators voted for and every single woman Senator, Democrat or Republican, voted in favor of.

As a prosecutor and a U.S. Senator, one of my main criminal justice priorities has been enforcing and reauthorizing VAWA or the Violence Against Women Act. It is a bill that took roots in my State, thanks to the efforts on the initial bill of former Senator Paul Wellstone and his wife Sheila. Both of them tragically died in a plane crash, and we miss them very much. But Paul and Sheila's legacy lives on in the work of the Violence Against Women Act.

It has a long history, as the President knows, of bipartisan support. Since it was first passed in 1994, we have made great strides in raising awareness that these are serious crimes, not shameful secrets. Since the enactment of the Violence Against Women Act, annual domestic violence rates have fallen by 50 percent, but the statistics make clear that domestic violence, stalking, and sexual assault are still a major problem in America. According to data from the Centers for Disease Control and Prevention, for every minute, 20 people in the United States are victims of physical violence by an intimate partner. That is about 10 million people every year.

Millions more individuals are the victims of stalking crimes each year, with approximately 15 percent of women at some point during their lifetime experiencing stalking, during which they feel very fearful or believe that they or someone close to them could be harmed or killed.

I would like to note briefly that I am pleased that the Senate recently passed the resolution that Senator PERDUE and I introduced on stalking to raise awareness. I have been confronted by these issues of domestic violence and stalking since before I became a Senator. In fact, that is when I was Hennepin County attorney. That is the largest prosecutor's office in our State. I managed an office of about 400 people. With that big office handling everything from representing our State's biggest public hospital to violent murder cases, the poster that you saw when you walked into our office and down the hallway so that everyone could see it was a picture of a woman who was beaten up. She had a Band-Aid over her nose, and she was holding a little baby boy. The words read: Beat your wife, and it is your son that goes to jail. Why? That poster reminds everyone

that domestic violence and sexual assault just don't hurt the immediate victims. They hurt children, families, and entire communities. We know that kids who see violence happen are twice as likely to commit it themselves and to continue the cycle. That is why I worked with Senator LEAHY along with Senator CRAPO to make sure that the Violence Against Women Act was reauthorized.

What does this legislation do? The legislation ensures that law enforcement has the tools to prosecute domestic and sexual violence and ensures that victims have the support they need to get back on their feet. But we also made some important updates on the law, including addressing the problem of above average levels of domestic violence in tribal areas, by allowing tribal courts to prosecute and to handle cases with people who are tribal members and in very specific cases when violence is committed on the reservation.

Providing a uniform nondiscrimination provision was also included to ensure services are available to everyone who needs them, including victims in same-sex relationships. The new bill included stronger housing protections for victims and increased accountability for grant recipients. It also strengthened and updated anti-stalking laws to better address the new technologies that predators are using to harass their victims. This was a bipartisan provision that I authored with Republican former Senator Kay Bailey Hutchison of Texas.

As I said, all 20 women Senators supported this critical legislation, and it passed with bipartisan support on a vote of 78 to 22, with support from a majority of Senators in Senator SESSIONS' own party, not to mention men and women across the country.

The reason Senator SESSIONS had for not voting for the bill was that it was the tribal provisions that he didn't like because of the dual jurisdiction. That just doesn't hold up for me, given what I have seen in my State.

Now, what does this really mean to people? Let me end this portion of my remarks with two stories. The first is about a case that our office handled, and a prosecutor in our office who was very well thought of handled it in our office, involving two immigrants. This was a case where this man was from Russia, and he beat up his wife repeatedly over the years. They had a little daughter. One day he killed his wife, and then he went to Home Depot and he bought a saw. And then he basically dismembered her and put her in a garbage bag and brought her to another State and dumped her in a river. He left the head in his trunk, and he brought it back to the Twin Cities. He eventually confessed to his crime.

The family gathered—and they were a very small family. The mom and dad came from Russia, and then there was the little girl who had been left behind with really no parent to take care of

her anymore. I went to meet with the family before the funeral with our prosecutor and our victim witness advocate. I heard the story then that at the airport—the little girl had never met her deceased mother's twin sister. They were identical twins. And as they got off the airplane and her grandparents and that aunt got off the airplane, the little girl ran up to that aunt and grabbed her and said "Mommy, Mommy" because she thought that it was her mother and that her mother was still alive.

Those are the victims of domestic violence. It is not just the immediate victim; it is everyone around them.

Or, the case in Lake City, MN, of Officer Shawn Schneider, an incredibly brave police officer who was called one day to a domestic violence case. It was a man who was clearly affected by mental illness, who was threatening his 17-year-old girlfriend, and the cop went up to the door, and there he was. He had his bullet proof vest on, but the man shot the police officer in the head, and he died. I attended that funeral.

When I was there, I saw their young family, the two young little boys and this little girl. I heard the story about the last time they were in their church for the nativity play, and the dad was sitting there—the police officer—in the pew, watching his family and his children perform. The next time they were in the church was when that little girl with the blue dress covered in stars was walking down the aisle for her dad's funeral.

That is domestic violence. It does concern me that we did not get support from the nominee. I do appreciate that he said he would continue to fund the Office on Violence Against Women, and I believe that that is very important to the functioning of the Justice Department.

Since its inception in 1995, the Office on Violence Against Women has provided financial and technical assistance to communities nationwide—very important to the Department of Justice.

The last thing I want to mention—and I will come back again to some of these other priorities that I think are important, if Senator SESSIONS is confirmed, to continue to be a focus in the Justice Department, as well as other concerns that I have—is the funding of the COPS program. Republican Senator MURKOWSKI and I are leading that effort. We have always had, especially in the House of Representatives, bipartisan support for the COPS program.

During Senator SESSIONS' hearing, I made a special note to discuss that issue with Chuck Canterbury, who is the president of the Fraternal Order of Police, and we had a good discussion about that. He stated that he shared my view that this is a very important program, particularly with the sharp decrease in staffing levels we have seen for law enforcement around the country in recent years, including training funding—something that is really important.

The Community Oriented Policing Services, or the COPS program, was established many years ago. It helped to place more than 129,000 police officers on the beat in more than 13,000 State, local, and tribal law enforcement agencies. In fiscal year 2015, the COPS office was able to award grants to just 209 of the over 1,000 law enforcement agencies that applied. It translated into about 915 officers, which is still a lot, but, in fact, there were requests for over 3,000 officers.

I think we can all agree, and hope the administration agrees, that this is a very important program. I will continue to work with Senator SESSIONS, if he is confirmed, to make sure we have the support from the administration for this program, which, again, is one of the top priorities of the Fraternal Order of Police and other police organizations across the country.

I look forward to discussing other issues when I return, but for now, I yield the floor. Thank you.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I rise in opposition to the nomination of Senator JEFF SESSIONS to be the next Attorney General of the United States and to head the U.S. Department of Justice.

I have had the privilege to serve with Senator SESSIONS in the U.S. Senate for nearly a decade. I have served on several committees with him, including the years that I was on the Judiciary Committee. I no longer serve on that committee, but I served there with Senator SESSIONS.

I was listening to Senator KLOBUCHAR's explanations of her concerns. Senator SESSIONS is a person whom we work with, but it is his views and his record that give me great concern.

Just looking back at the first 2 weeks of the Trump administration, I think a growing number of Americans understand the importance of the Constitution, the rule of law, the system of checks and balances, the separation of powers, and the critical importance of the position of the Attorney General of the United States.

Over the years, the Justice Department has grown into one of the largest Cabinet departments, with over 100,000 employees, which touches just about every aspect of life in America today. It is known as the world's largest law office and the chief enforcer of Federal laws.

Just think about the work every day to keep America safe undertaken by the Federal Bureau of Investigation, the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Bureau of Prisons, the U.S. Marshals Service, and the U.S. Attorneys in every State and territory. Think about the work of the National Security Division that tackles some of the toughest terrorism and intelligence challenges we face every day. All of that comes under the Department of Justice. All of that comes under the Attorney General.

Think about the work of the Civil Rights Division to protect all Americans, regardless of their background, to ensure that every American—every American—enjoys full constitutional rights and privileges. Think about the work of the Environmental and Natural Resources Division, the Antitrust Division, and the Tax Division, and so many other offices within the Department of Justice. It is the direction of all of those agencies that come under the Attorney General of the United States. These hard-working employees of the Justice Department keep America safe every day while protecting American lives, and some of them put their lives on the line to do so. We need an Attorney General that will strengthen, not weaken, the Justice Department and will help carry out its important missions.

The Justice Department is charged with “[enforcing] the law and [defending] the interests of the United States according to the law,” “[ensuring the] public safety against threats foreign and domestic,” as well as “[ensuring] fair and impartial administration of justice for all Americans.” That is their mission. That is their responsibility.

The Attorney General is not the President's lawyer; he or she is the people's lawyer. After carefully examining Senator SESSIONS' record—including his Senate service, confirmation hearing, and advocacy on the campaign trail for Mr. Trump—I am not convinced that he would be independent and impartial to the President and Federal agencies. I am not convinced he would enforce the law fairly and protect the civil liberties and civil rights of all Americans.

Let me discuss some of my concerns with Senator SESSIONS' nomination. In this debate, I do want to mention my resolution calling on President Trump to divest his interest and sever his relationship to the Trump organization. My resolution was first introduced last year. It is intended to uphold the value and strictures of one of the most sacred documents: the Constitution, the instrument that the President took an oath to preserve, protect, and defend. It makes clear that Congress will consider all transactions by foreign governments and their agents with the Trump organization as potential violations of the emoluments clause of the Constitution.

The Attorney General is likewise sworn to uphold the U.S. Constitution and provide legal advice to President Trump and the various Cabinet departments. He must exercise independent judgment. I am concerned as to whether Senator SESSIONS would, in fact, advise the President, as he should, that by holding on to Trump enterprises—by not divesting or setting up a blind trust—he is putting himself at risk of violating the Constitution of the United States.

It is not what the President wants to hear; it is what he must hear. We need

an independent Attorney General in order to make that recommendation to the President of the United States.

Senator SESSIONS has strongly supported restrictive voter ID laws that have had the effect of disenfranchising many otherwise eligible voters and are frankly modern-day poll taxes. He has called the Voting Rights Act intrusive as it seeks to protect minority voters. He praised the Supreme Court's ruling in *Shelby County v. Holder*, which gutted a key part of the Voting Rights Act, saying that it was "a good day for the South" when the decision was handed down.

Our next Attorney General should be working on how to expand the franchise, not restrict it. Now President Trump has said he will direct Vice President PENCE to lead a task force or commission to examine so-called voter fraud in the 2016 Presidential election.

We need an independent Attorney General.

Why is President Trump taking this action? Because Hillary Clinton won the popular vote by nearly 3 million votes, and that gets under his skin. He feels slighted. He feels his legitimacy is brought into question. It doesn't matter that he won the electoral vote. So the President will direct the Vice President, and presumably his next Attorney General, to investigate these bogus claims of voter fraud. Instead, the new Attorney General should examine voter suppression and disenfranchisement in the elections. I fear this new study on widespread "voter fraud" is simply a pretext to impose more onerous restrictions on the right to vote—to try to keep a certain segment of Americans—making it more difficult for them to vote because they may be more likely to vote for someone other than Mr. Trump. That is not what the Attorney General should be doing.

Based on his record, Senator SESSIONS would work with the Trump administration to further restrict the right to vote and roll back the clock on this cherished civil right, which is protected by our Constitution.

On the issue of immigration, Senator SESSIONS has a long record where he has fought against bipartisan, comprehensive immigration reform in the Senate. He led the efforts in 2007 and in 2013 to defeat bipartisan legislation in the Senate. He used the untruthful "amnesty" tag to describe the tough-but-fair pathway to citizenship in this legislation, which passed by a 68-to-32 vote in 2013. He has opposed relief for the DREAMers and has opposed the Delayed Action for Childhood Arrivals—DACA—program. He supported anti-immigration State laws in Arizona and elsewhere that the Supreme Court has struck down as unconstitutional.

During the Presidential campaign, Mr. Trump issued a press release "calling for a total and complete shutdown of Muslims entering the United States." Several days later, Senator LEAHY offered a resolution in the Judiciary Committee that stated, "It is the

sense of the Senate that the United States must not bar individuals from entering the United States based on their religion, as such action would be contrary to the fundamental principles of which this nation was founded." The vote was 16 to 4 in favor of the Leahy resolution. Senator SESSIONS voted no and spoke against the resolution for nearly half an hour and concluded by stating that the Leahy resolution "goes beyond being unwise. It is reckless. It is absolute and without qualification. It could have pernicious impacts for decades, even centuries to come. It may be even a step from the concept of the nation-state to the idea of 'global citizenship.'"

Barring a religious test of people coming into our Nation would create that type of a Nation? That is who we are as a Nation. Those are our core values. We embrace diversity.

Senator SESSIONS' views are far outside the mainstream and would unsettle many years of law and precedent that protect individual religious beliefs. I am gravely concerned about how an Attorney General SESSIONS would advise President Trump on the lawfulness of a Muslim ban. He recently issued his Executive order, which a district court has put on hold and is now being challenged in the Ninth Circuit. I cosponsored legislation to rescind President Trump's discriminatory Executive order barring immigrants from Muslim-majority countries and suspending the U.S. refugee program.

I am also concerned as to how Attorney General SESSIONS would advise the President on matters of immigration. Former Acting Attorney General Sally Yates was fired and her conduct was called shameful by President Trump, simply because she was upholding the Constitution, giving her advice. The President has criticized the "so-called judge" who temporarily stayed his travel ban with an "outrageous" decision, and said that the judge would be blamed if a terrorist attack occurred in the United States. The Attorney General has to be able to stand up to even the President with these reckless words and actions. We need an independent Attorney General who will uphold the Constitution and recognize that he is not the President's attorney, he is the people's attorney. I am not convinced that Attorney General Sessions would be that type of person.

Senator SESSIONS led the opposition to the nomination of my fellow Marylander Tom Perez to be the Assistant Attorney General for the Civil Rights Division at the Department of Justice when President Obama nominated him in 2009. At the time, Senator SESSIONS said:

I am also concerned Mr. Perez will not be committed to fully enforcing our Nation's immigration laws, some I have worked hard on. We need to create a lawful system of immigration. . . . He previously served as the President of the Board of CASA of Maryland, an immigrant advocacy organization that has taken some extreme views and been

criticized by a number of people in the media. CASA of Maryland issued a pamphlet instructing immigrants confronted by the police to remain silent. CASA also promotes day labor sites. This is where people, often without lawful status, come and seek work . . . and [they] oppose restrictions on illegal immigrants receiving drivers' licenses. He was President of the Board.

That was Senator SESSIONS' quote. Senator SESSIONS also commented on Mr. Perez directly:

I am concerned where Mr. Perez will be in this [running the Department of Justice Civil Rights Division]. He has been pretty active politically. When he ran for the Montgomery, MD, county council he responded to a question asking, 'What would you like the voters to know about you?' Mr. Perez said: 'I am a progressive Democrat and always was and always will be.' This is a free country and that is all right. I am just saying, in all fairness, that statement makes me a little nervous.

Again, quoting from Senator SESSIONS. The Senate did right by my friend and colleague Tom Perez. He was confirmed by the Senate to the Civil Rights Division of the Department of Justice by a 72-to-22 vote. Now, I understand people may have a reason to vote one way or the other, but the reasons stated by Senator SESSIONS in regard to Mr. Perez caused me great, great concern. Senator SESSIONS again opposed Mr. Perez when he was later nominated to be Secretary of Labor. In both of these cases, Senator SESSIONS' views were far outside the mainstream on Mr. Perez.

As the senior Senator from Maryland, I know CASA of Maryland. I have been there. I have seen the people they service. They do extraordinary work to help the immigrant community. They are not a fringe advocacy group. While Mr. Perez is a progressive, he is a dedicated public servant, having been elected by the people of Maryland to the Montgomery County Council and appointed by President Obama to run the Civil Rights Division at the Justice Department and later the Labor Department. Mr. Perez worked to expand the right to vote, protect the rights of all Americans, and ensure American workers had a decent wage and employers treated their employees with fairness and respect.

I fear Attorney General SESSIONS would turn back the clock on so many civil and worker rights that we hold dear as Americans.

Senator SESSIONS opposed the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act. Senator SESSIONS supported a constitutional amendment to ban same-sex marriages, opposed the repeal of don't ask, don't tell in the military, and harshly criticized the Supreme Court's recent decision legalizing same-sex marriages across the country. He harshly criticized the Court for redefining a "sacred and ancient institution," and called the ruling "part of a continuing effort to secularize, by force and intimidation" the Nation. Once again, I fear an Attorney General SESSIONS would turn back the clock on LGBT rights to a

time when individuals would no longer have the legal right to marry the person they love.

Senator SESSIONS voted against the Lilly Ledbetter Fair Pay Act, the Paycheck Fairness Act, title X funding for contraception, breast screening, and health services for low-income women, and reauthorization of the Violence Against Women Act. He voted to defund Planned Parenthood. I am concerned whether Senator SESSIONS would enforce equal rights and protection for women as our next Attorney General.

Senator SESSIONS has consistently fought against criminal justice reform in the Senate and led the effort to defeat the recent bipartisan proposals that would modestly reduce sentencing disparities and ease ex-offenders' reentry into society.

Senator SESSIONS opposed my Ramos and Liu blue alert act due to fiscal concerns, even though the legislation cost was scored at nominal or less than \$1 million for implementation by CBO. Law enforcement agencies strongly supported my legislation, which was signed into law by President Obama in 2015. Blue Alert helps our law enforcement officers, those who are threatened or endangered or where there has been an incident. It gives law enforcement the opportunity to apprehend the suspect in a timely way. It scored nominal or less than \$1 million, and was used by Senator SESSIONS to block this important tool to help our law enforcement officers.

Senator SESSIONS has generally condemned the Department of Justice's use of its power to investigate law enforcement agencies accused of misconduct and a "pattern and practice" of violating civil rights, calling consent decrees that mandate reform following these investigations "an end run around the democratic process." That causes me concern because that is an important part of what we are doing in my hometown of Baltimore.

We had a major problem in the Freddie Gray episode. We requested a pattern and practice investigation. We are now working with the consent decree. The people of Baltimore and the people of Maryland are anxious to get this matter moving forward and are anxious to see this consent order bring a successful conclusion to that recommendation and investigation.

Senator SESSIONS led the opposition to Senator Mikulski and my recommendation of Paula Xinis to be a U.S. district judge for the District of Maryland in the Judiciary Committee and on the floor. The Alliance for Justice provided an account of Paula Xinis' confirmation hearing, which I will quote from at length here.

"Turning to the nominee of the District Court of Maryland, Paula Xinis, Senator SESSIONS unleashed a line of accusatory questions suggesting that Xinis' career as a public defender and civil rights lawyer showed an 'agenda' that she would invariably 'bring to the

bench.' The questions were absurd and unfounded, but they could not be dismissed as such. Instead, Mrs. Xinis had to patiently explain that protecting the rights of America's most vulnerable and disenfranchised had not left her tainted with disqualifying bias."

"Senator SESSIONS felt compelled to verify that someone with Mrs. Xinis' professional background—which also includes time as a complaint examiner in the DC Office of Police Complaints—would not be biased against police officers. After asking her whether 'police have a responsibility to try to maintain an orderly and safe environment for the people who live in a city' and whether a judge 'should show empathy for the difficulties that police officers face as well as' for those who allege that police have violated their civil rights. Senator SESSIONS closed with this:"

"Can you assure the police officers in Baltimore and all over Maryland that might be brought before your court that they'll get a fair day in court, and that your history would not impact your decision-making? And I raise that particularly because I see your firm [Billy Murphy] is representing Mr. Freddie Gray in that case that's gathered so much attention in Maryland, and there's a lot of law enforcement officers throughout the state and they want to know that they don't have someone who has an agenda to bring to the bench—can you assure them that you won't bring that to the bench?"

"The implication is clear: If you defend people against criminal prosecutions, and especially if you represent people in civil rights cases against police, there is a presumption of bias that you must rebut before the Judiciary Committee. One wonders whether Senator SESSIONS has asked a prosecutor if she would bring to her judicial role an 'agenda' against indigent criminal defendants or if a corporate defense lawyer would be biased against employees who allege unlawful discrimination or unpaid wages. I doubt very much he would ask that same question in that circumstance."

"The depth of this double standard is underscored by Senator SESSIONS' invoking Freddie Gray in particular. Freddie Gray, of course, was fatally injured in Baltimore police custody after being arrested without cause. His death led to grand jury indictments for six officers on homicide and assault charges, and the Department of Justice opened a civil rights investigation. Under these circumstances, representing Mr. Gray's family hardly seems like an act of radical subversion that would call into question one's ability to be fair, but in Senator SESSIONS' view, any challenge to police authority can be done only in pursuit of some extralegal 'agenda.'"

Senator SESSIONS led the floor opposition to Paula Xinis. I am pleased to report she was confirmed by the U.S. Senate, and she is now one of our distinguished members of the District

Court of Maryland, where she serves with great distinction.

Senator SESSIONS was one of only nine Senators to vote against the Detainee Treatment Act, which contained the McCain-Feinstein amendment that prohibits "cruel, inhumane, and degrading" punishment for individuals in American custody. He has left the door open to reinstating waterboarding as needed. He has opposed shutting down Guantanamo Bay.

These issues are critically important because we got word of a draft Executive order that would bring back these types of torture centers—which are not only a stain on America's reputation, they are counterproductive and against our values and our law. We expect the Attorney General of the United States to speak out against such reprehensible types of proposals.

Thomas Jefferson wrote: "The most sacred of the duties of government [is] to do equal and impartial justice to all of its citizens." This sacred duty remains the guiding principle for the women and men of the U.S. Department of Justice, according to the Justice Web site. I would urge all of us to keep that in mind.

I regret I do not have confidence that Senator SESSIONS will carry out this task so I must oppose his nomination.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Massachusetts.

Ms. WARREN. Mr. President, I rise to express my strong opposition to the nomination of Senator JEFF SESSIONS to serve as Attorney General of the United States.

I ask: Where are the Senators who will say no to the nomination of Senator JEFF SESSIONS as Attorney General of the United States? I hope there are at least enough Senators here who understand that America is careening over a constitutional cliff and that all of us, regardless of political party, need an Attorney General who can be relied on to enforce the laws fairly and fight back against lawless overreach by an out-of-control President.

On January 27, the world turned upside down for tens of thousands of people directly affected by President Trump's Executive order turning America's back on refugees around the world and immigrants from seven Muslim-majority countries.

Last week, I recalled many of their stories. I spoke about students and professors, about mothers and children, about friends and neighbors, real people who were turned away, detained, or deported based solely on their religion or the simple fact that they were fleeing war. We all breathed a sigh of relief when a court temporarily halted that order, but we know the fight continues to permanently overturn this unlawful, unconstitutional, and deeply immoral Executive order.

That isn't all that happened last week. Last week, the Acting Attorney General of the United States refused to

defend President Trump's unlawful and unconstitutional Executive order so President Trump fired her. That is right, the President of the United States fired the Nation's top law enforcement officer for refusing to defend an unlawful, unconstitutional, and deeply immoral order.

Last week, after days of slow-walking or ignoring judicial decisions, President Trump went on the attack. He raged against the judge who temporarily halted his order, calling him a so-called judge and questioning his authority to act. That is right. The President of the United States attacked the legal authority of an individual district court judge, lawfully appointed by George W. Bush and confirmed unanimously by the Senate, to pass judgment on Trump's Executive orders.

These are dangerous times. At times like this, it is more important than ever that the Attorney General of the United States has the guts, the independence, and the good moral judgment to stand up to the President when he seeks to violate the Constitution and ignore the law.

At his confirmation hearing last month, Senator SESSIONS claimed to be that person. I have to say, I wish it were true. I really do. I wish the President's campaign had been different. I wish his actions now were different. I wish we could give his nominees the benefit of the doubt, but I will not ignore the real world, as unpleasant as it is, and neither can anyone in this Senate.

In the real world, Senator SESSIONS obviously isn't going to stand up to the President's campaign of bigotry. How could he? In the real world, Senator SESSIONS is one of the principal architects of that campaign.

Senator SESSIONS made a special name for himself for being a particularly vitriolic opponent of commonsense immigration policies. He railed against legal immigrants. He attacked cities and States that focus on keeping their communities safe instead of serving as a national deportation force. He called Islam a toxic ideology and a threat to our Nation. Despite the plain language of the Constitution, Senator SESSIONS doesn't think that children born in the United States should automatically become citizens. He wants to round up and deport DREAMers, who were brought to the United States as kids. Does that all sound familiar? Well, it should because Senator SESSIONS was an early and energetic supporter of then-candidate Donald Trump, and the Senator played a key role in shaping what has become the most extreme, most divisive, and most dangerous immigration policies of any President in decades.

Senator SESSIONS' radical views are not limited to immigration. On issue after issue, Senator SESSIONS has displayed open hostility to the rights of all Americans.

He has made derogatory and racist comments that should have no place in our justice system.

As a Federal prosecutor, he got involved in a voting rights case against those who were trying to help American citizens who were lawfully registered to vote. Yes, that is right—he brought a case against civil rights workers who helped African-American voters submit absentee ballots.

While serving as Alabama's attorney general, he reportedly made numerous racist comments, including saying he thought the KKK was OK until he learned that they smoked weed.

He called a White attorney representing Black clients in a civil rights case a disgrace to his race.

He claimed that the NAACP and the ACLU were un-American.

In a speech in 2006, he said: "Fundamentally, almost no one coming from the Dominican Republic to the United States is coming here because they have a provable skill that would benefit us and that would indicate their likely success in our society." According to SESSIONS, Dominicans come to the United States by engaging in fraud.

Senator SESSIONS is also extraordinarily hostile to any effort to root out discrimination based on gender or sexual orientation. According to Senator SESSIONS, marriage equality is a threat to the American culture.

Roe v. Wade is constitutionally unsound.

Employers should be able to fire you because they don't like whom you love.

He voted against equal pay for equal work.

He even voted against the Violence Against Women Act.

It doesn't stop there. On crime, Senator SESSIONS' solution is to lock up people for even minor, low-level offenses; throw away the key. He has advocated for expanding prisons for youth, aggressively prosecuting marijuana offenses, and eliminating parole or reduced prison time for good behavior.

During the 2016 Presidential campaign, he heaped praise on then-candidate Donald Trump for having once taken out a racially tinged full-page newspaper ad advocating for the death penalty for the Central Park Five, the Black and Latino teenagers who were falsely accused and convicted of raping a young woman in New York's Central Park.

Senator SESSIONS is not a plain-old conservative Republican. No. Senator SESSIONS occupies a place way out at the radical fringe of his party, regularly taking positions that are far more extreme than his other Republican colleagues. For example, when Republicans and Democrats came together to pass a commonsense, bipartisan immigration bill, Senator SESSIONS worked overtime to make sure the bill did not make it through the House. When Republicans and Democrats came together to propose legislation to reform our broken Federal criminal sentencing laws, Senator SESSIONS was part of the handful of Sen-

ators who ensured that the bill would not get a vote here in the Senate.

Senator SESSIONS has been a public figure for decades. None of this—none of this is secret, and much of it is completely indefensible, but President Trump wants this man. So the same Republican Senators who once fought Senator SESSIONS tooth and nail have now launched a massive PR campaign to try to repair his public image.

That case against the civil rights workers helping Blacks in Alabama to vote? Hey, you go it all wrong. He was just trying to help out other African Americans who were concerned about voting irregularities.

His vote against the Violence Against Women Act? His position on LGBTQ rights? His opposition to a woman's right to choose? Hey, don't worry about it. He says he will vigorously enforce the law once he becomes Attorney General. Give me a break.

The law enforcement power of the United States of America is an awesome thing. In the right hands, in steady and impartial hands, it can be used to defend all of us, to defend our laws, to defend our Constitution. In the wrong hands, it can be used to bully and intimidate the defenseless, to destroy lives, to undermine American democracy itself.

Senator SESSIONS is not misunderstood. Senator SESSIONS has never been misunderstood. For decades, it has been absolutely clear where he stands. Now the time is here for every Senator to make absolutely clear where they stand as well.

Let's be clear. Winning a seat in the U.S. Senate does not exempt a Cabinet nominee from the close scrutiny that all nominees to lead our government deserve. It does not change the Senate's constitutional responsibility to examine a nominee to make certain that nominee will faithfully and fairly enforce the laws of the United States of America. It does not relieve the Senate of its duty to reject nominees whose records demonstrate that they will not stand up for American values and constitutional principles.

When it comes to the Senate confirming someone to be Attorney General—the highest law enforcement officer in this country—we are all personally responsible for that choice. To put Senator SESSIONS in charge of the Department of Justice is an insult to African Americans. To put Senator SESSIONS in charge of the Department of Justice is a direct threat to immigrants. To put Senator SESSIONS in charge of the Department of Justice is a deliberate affront to every LGBTQ person. To put Senator SESSIONS in charge of the Department of Justice is an affront to women.

I ask again, where are the Senators who will say no to Senator SESSIONS as Attorney General of the United States? Thirty years ago, a Republican-controlled Senate took the extraordinary step of rejecting Senator SESSIONS' nomination to serve as a Federal judge.

They had the courage to stand up for the principles that transcend party affiliation—fairness, equality, justice for all. Their rejection sent a message that that kind of dangerous, toxic hatred has no place in our courts. I urge them again today to exert that moral leadership and to send a message that this kind of dangerous, toxic hatred has no place in our Justice Department. I urge them to set aside politics and do what they know is right.

I wish to read two statements that really stood out to me as I was reviewing Senator SESSIONS' record on civil rights. One is the powerful speech that the late Senator from Massachusetts, Ted Kennedy, gave in 1986, and the other is a very moving letter from Coretta Scott King, a letter she wrote to the Judiciary Committee that same year.

I want to start with what Senator KENNEDY said. He said:

The confirmation of nominees for lifetime appointments to the Federal judiciary is one of the most important responsibilities of the Senate mandated by the U.S. Constitution, and the examination by the Senate of a nominee's fitness to serve as a Federal judge is the last opportunity to determine whether the candidate possesses the education, experience, skills, integrity, and, most importantly, the commitment to equal justice under law, which are essential attributes of a Federal judge.

Once confirmed, a Federal judge literally has life and death authority over citizens that appear before him, with limited review of his decisions. Our Federal judiciary is the guardian of the rights and liberties guaranteed to all of us by the U.S. Constitution, and the decisions of fellow judges are constantly shaping and reshaping those rights and liberties.

This committee has a duty to our citizens to carefully examine the qualifications of nominees for the Federal bench and to give our approval only to those who have demonstrated a personal commitment to the principle of equality for all Americans and a sensitivity to the long history of inequality which we are still struggling to overcome.

Mr. SESSIONS, as a U.S. attorney for the Southern District of Alabama, comes to this committee with a record which regrettably includes presiding over the now-infamous so-called Perry County voting fraud prosecutions. In the Perry County case, the government indicted three well-known and highly respected Black civil rights activists on charges of voter fraud and assisting elderly Black voters to vote by absentee ballot. But for the efforts of the defendants 20 years ago, these Black citizens would not have been allowed to vote. All three of the defendants were acquitted on all charges in the indictments, and some of the elderly Blacks have responded to their experiences during the prosecution, vowing never to vote again. Mr. SESSIONS' role in that case alone should bar him from serving on the Federal bench.

There is more—much more. We just received a sworn statement from a Justice Department attorney I know—which will be the subject of a good deal of questioning during the course of this hearing—who has worked on civil

rights cases with Mr. SESSIONS over the period Sessions was U.S. attorney. Mr. Huber has stated to the committee investigators that Mr. SESSIONS on more than one occasion has characterized the NAACP and the ACLU as un-American, Communist-inspired organizations. Mr. Huber reports that Mr. SESSIONS said that these organizations did more harm than good when they were trying to force civil rights down the throats of people who were trying to put problems behind them. Mr. Huber also stated that Mr. SESSIONS suggested that a prominent White civil rights lawyer who litigated voting rights cases was a disgrace to his race for doing it. Mr. SESSIONS is a throw-back to a shameful era which I know both Black and White Americans thought was in our past.

It is inconceivable to me that a person of this attitude is qualified to be a U.S. attorney, let alone a U.S. Federal judge.

"He is, I believe, a disgrace to the Justice Department, and he should withdraw his nomination and resign his position." Those were the words of Senator Ted Kennedy, and I will stand with Senator KENNEDY, and, like he did, I will cast my vote against the nomination of Senator SESSIONS.

Coretta Scott King also wrote to the Judiciary Committee about the Sessions nomination in 1986. This is what she wrote:

Mr. Chairman and members of the Committee:

Thank you for allowing me this opportunity to express my strong opposition to the nomination of Jefferson Sessions for a federal district judgeship for the Southern District of Alabama. My longstanding commitment, which I shared with my husband, Martin, to protect and enhance the rights of Black Americans, rights which include equal access to the democratic process, compels me to testify today.

Civil rights leaders, including my husband and Albert Turner, have fought long and hard to achieve free and unfettered access to the ballot box. Mr. SESSIONS has used the awesome power of his office to chill the free exercise of the vote by black citizens in the district he now seeks to serve as a federal judge. This simply cannot be allowed to happen. Mr. SESSIONS' conduct as U.S. Attorney, from his politically-motivated voting fraud prosecutions to his indifference toward criminal violations of civil rights laws, indicates that he lacks the temperament, fairness and judgment to be a federal judge.

The Voting Rights Act was, and still is, vitally important to the future of democracy in the United States. I was privileged to join Martin and many others during the Selma to Montgomery march for voting rights in 1965. Martin was particularly impressed by the determination to get the franchise of blacks in Selma and neighboring Perry County. As he wrote, "Certainly no community in the history of the Negro struggle has responded with the enthusiasm of Selma and her neighboring town of Marion. Where Birmingham depended largely upon students and unemployed adults [to participate in non-violent protest of the denial of the franchise], Selma has involved fully 10 per cent of the Negro population in active demonstrations, and at least half the Negro population of Marion was arrested on one day."

Mrs. King continues:

Martin was referring of course to a group that included the defendants recently prosecuted for assisting elderly and illiterate blacks to exercise that franchise. In fact, Martin anticipated from the depth of their commitment twenty years ago, that a united political organization would remain in Perry County long after the other marchers had left. This organization, the Perry County Civic League, started by Mr. Turner, Mr. Hogue and others, as Martin predicted, continued "to direct the drive for votes and other rights." In the years since the Voting Rights Act was passed, Black Americans in Marion, Selma and elsewhere, have made important strides in their struggle to participate actively in the electoral process. The number of Blacks registered to vote in key Southern states has doubled since 1965. This would not have been possible without the Voting Rights Act.

However, Blacks still fall far short of having equal participation in the electoral process. Particularly in the South, efforts continue to be made to deny Blacks access to the polls, even where Blacks constitute the majority of the voters. It has been a long, up-hill struggle to keep alive the vital legislation that protects the most fundamental right to vote. A person who has exhibited so much hostility to the enforcement of those laws—

The PRESIDING OFFICER. The Senator is reminded that it is a violation of rule XIX of the Standing Rules of the Senate to impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

Ms. WARREN. Mr. President, I don't think I quite understand. I am reading a letter from Coretta Scott King to the Judiciary Committee from 1986 that was admitted into the RECORD. I am simply reading what she wrote about what the nomination of JEFF SESSIONS to be a Federal court judge meant and what it would mean in history for her.

The PRESIDING OFFICER. This is a reminder—not necessarily what you just shared—however, you stated that a sitting Senator is a disgrace to the Department of Justice.

Ms. WARREN. I think that may have been Senator KENNEDY who said that in the record, although I would be glad to repeat it in my own words.

The PRESIDING OFFICER. The rule applies to imputing conduct or motive, through any form or voice, to a sitting Senator; form or voice includes quotes, articles, or other materials.

Ms. WARREN. So quoting Senator KENNEDY, calling then-Nominee Sessions a disgrace, is a violation of Senate rules? It was certainly not in 1986.

The PRESIDING OFFICER. In the opinion of the Chair, it is, and the Senator is warned.

Ms. WARREN. So let me understand. Can I ask a question, in the opinion of the Chair? I want to understand what this rule means.

The PRESIDING OFFICER. The Senator will state her inquiry.

Ms. WARREN. Is it the contention of the Chair, under the rules of the Senate, I am not allowed to accurately describe public views of Senator SESSIONS, public positions of Senator SESSIONS, quote public statements of Senator SESSIONS?

The PRESIDING OFFICER. The Chair has not made a ruling with respect to the Senator's comments. The Senator is following process and tradition by reminding the Senator from Massachusetts of the rule and to which it applies.

Ms. WARREN. I am asking what this rule means in this context. So can I continue with Coretta Scott King's letter?

The PRESIDING OFFICER. The Senator may continue.

Ms. WARREN. Thank you. I will pick up, then, with Mrs. King's letter to the Judiciary Committee when the Judiciary Committee was considering, not then-Senator SESSIONS, Nominee Sessions for a position on the Federal bench.

She makes the point:

However, Blacks still fall far short of having equal participation in the electoral process. Particularly in the South, efforts continue to be made to deny Blacks access to the polls, even where Blacks constitute the majority of the voters. It has been a long, up-hill struggle to keep alive the vital legislation that protects the most fundamental right to vote. A person who has exhibited so much hostility to the enforcement of those laws, and thus, to the exercise of those rights by Black people, should not be elevated to the federal bench.

The irony of Mr. Sessions' nomination is that if confirmed, he will be given life tenure for doing with a federal prosecution what the local sheriffs accomplished twenty years ago with clubs and cattle prods. Twenty years ago, when we marched from Selma to Montgomery, the fear of voting was real, as the broken bones and bloody heads in Selma and Marion bore witness. As my husband wrote at the time, "it was not just a sick imagination that conjured up the vision of a public official, sworn to uphold the law, who forced an inhuman march upon hundreds of Negro children; who ordered the Rev. James Bevel to be chained to his sickbed; who clubbed a Negro woman registrant, and who callously inflicted repeated brutalities and indignities upon nonviolent Negroes peacefully petitioning for their constitutional right to vote."

Free exercise of voting rights is so fundamental to American democracy, that we can not tolerate any form of infringement of those rights. Of all the groups who have been disenfranchised in our nation's history, none has struggled longer or suffered more in the attempt to win the vote than Black citizens. No group has had access to the ballot box denied so persistently and intently. Over the past century, a broad array of schemes have been used in attempts to block the Black vote. The range of techniques developed with the purpose of repressing black voting rights run the gambit from the straightforward application of brutality against black citizens who tried to vote to such legalized frauds as "grandfather clause" exclusions and rigged literacy tests.

The actions taken by Mr. Sessions in regard to the 1984 voting fraud prosecutions represent just one more technique used to intimidate Black voters, and thus deny them this most precious franchise. The investigations into the absentee voting process were conducted only in the Black Belt counties, where blacks had finally achieved political power in the local government. Whites had been using the absentee process to their advantage for years, without incident. Then, when Blacks, realizing its strength, began to use it with success, criminal investigations were begun.

In these investigations, Mr. Sessions, as U.S. Attorney, exhibited an eagerness to bring to trial and convict three leaders of the Perry County Civic League, including Albert Turner despite evidence clearly demonstrating their innocence of any wrongdoing. Furthermore, in initiating the case, Mr. Sessions ignored allegations of similar behavior by whites, choosing instead to chill the exercise of the franchise by blacks by his misguided investigation. In fact, Mr. Sessions sought to punish older black civil rights activists, advisors and colleagues of my husband, who had been key figures in the civil rights movement in the 1960's. These were persons who, realizing the potential of the absentee vote among Blacks, had learned to use the process within the bounds of legality, and had taught others to do the same. The only sin they committed was being too successful in gaining votes.

The scope and character of the investigations conducted by Mr. Sessions also warrant grave concern. Witnesses were selectively chosen in accordance with the favorability of their testimony to the government's case. Also, the prosecution illegally withheld from the defense, critical statements made by witnesses. Witnesses who did testify were pressured and intimidated into submitting the "correct" testimony. Many elderly blacks were visited multiple times by the FBI, who then hauled them over 180 miles by bus to a grand jury in Mobile when they could have more easily have testified at a grand jury twenty miles away in Selma. These voters, and others, have announced they are now never going to vote again.

I urge you to consider carefully Mr. Sessions' conduct in these matters. Such a review, I believe, raises serious questions about his commitment to the protection of the voting rights of all American citizens. And consequently his fair and unbiased judgment regarding this fundamental right. When the circumstances and facts surrounding the indictments of Al Turner, his wife, Evelyn, and Spencer Hogue are analyzed, it becomes clear that the motivation was political, and the result frightening—the wide-scale chill of the exercise of the ballot for blacks, who suffered so much to receive that right in the first place. Therefore, it is my strongly-held view that the appointment of Jefferson Sessions to the federal bench would irreparably damage the work of my husband, Al Turner, and countless others who risked their lives and freedom over the past twenty years to ensure equal participation in our democratic system.

The exercise of the franchise is an essential means by which our citizens ensure that those who are governing will be responsible. My husband called it the number one civil right. The denial of access to the ballot box ultimately results in the denial of other fundamental rights. For, it is only when the poor and disadvantaged are empowered that they are able to participate actively in the solutions to their own problems.

We still have a long way to go before we can say that minorities no longer need to be concerned about the discrimination at the polls. Blacks, Hispanics, Native Americans, and Asian Americans are grossly underrepresented at every level of government in America. If we are going to make our timeless dream of justice through democracy a reality, we must take every possible step to ensure that the spirit and intent of the Voting Rights Act of 1965 and the Fifteenth Amendment of the Constitution is honored.

The federal courts hold a unique position in our constitutional system, ensuring that minorities and other citizens without political power have a forum in which to vindicate their rights. Because of this unique role, it is essential that the people selected to be

federal judges respect the basic tenets of our legal system: respect for individual rights and a commitment to equal justice for all. The integrity of the Courts, and thus the rights they protect, can only be maintained if citizens feel confident that those selected as federal judges will be able to judge with fairness others holding different views.

I do not believe Jefferson Sessions possesses the requisite judgment, competence, and sensitivity to the rights guaranteed by the federal civil rights laws to qualify for appointment to the federal district court. Based on his record, I believe his confirmation would have a devastating effect on not only the judicial system in Alabama, but also on the progress we have made everywhere toward fulfilling my husband's dream that he envisioned over twenty years ago. I therefore urge the Senate Judiciary Committee to deny his confirmation.

I thank you for allowing me to share my views.

Mrs. King's views and words ring true today. The integrity of our Justice Department depends on an Attorney General who will fight for the rights of all people. An honest evaluation of JEFF SESSIONS' record shows that he is not that person.

My concerns regarding JEFF SESSIONS go far beyond his disappointing record on civil rights. Take immigration, for example. The Daily Beast published an article a few weeks ago entitled, "Donald Trump's Refugee Ban Has Attorney General Nominee Jeff Sessions's Fingerprints All Over It." Here is what the article says:

To longtime Jeff Sessions observers, the chaos that unfolded in American airports on Saturday morning wasn't a surprise. At all. Rather, the refugee ban was the predictable culmination of years of advocacy from two of President Donald Trump's most trusted advisors: White House Senior Advisor Stephen Miller, and attorney general designate Jeff Sessions. For years, Sessions and Miller—who was the Alabama Senator's communications director before leaving to join the Trump campaign—pushed research and talking points designed to make Americans afraid of refugees.

Press releases, email forwards, speeches on the Senate floor—Miller and Sessions used it all to make the case against Obama's refugee program was a huge terror threat. The executive order Trump signed late in the day on Friday is just the logical conclusion of their work.

I started getting press releases that Miller sent on behalf of Jeff Sessions in March 2013, shortly after I moved to D.C. to cover Congress. The emails went to my Gmail, and kept coming over the years—hundreds and hundreds of them. By the time he left Sessions' office to join the Trump campaign, Miller's press releases were legendary among Hill reporters: There were just so many of them at all hours of the day, and they never stopped. Some were lengthy diatribes; some were detailed, homemade charts; some were one-liners; one was just a link to Facebook's stock page on Google Finance with the subject line, "Does this mean that Facebook has enough money now to hire Americans?"

"I wanted to put together a little book of the best emails I ever sent," Miller told Politico last June. "I spent hours and hours of research on those."

Some of that research had serious methodological problems, according to Alex Nowrasteh, an immigration expert at the libertarian Cato Institute.

“Miller’s work vastly overstates the threat of foreign terrorists to the homeland,” Nowrasteh said.

He pointed to Miller’s efforts to chronicle cases of refugees implicated in terrorist activity. It is true that some refugees in the U.S. have been indicted for terrorism-related crimes, Nowrasteh said. But instances of refugees actually planning terror attacks on American soil, he added, were vanishingly rare.

“Almost all the refugees that I was able to specifically identify in his set were trying to support a foreign terrorist organization, mostly Al Shabab in Somalia, by giving them money or something like that,” Nowrasteh said. “I don’t know about you, but I think there’s a big difference between sending a militia in your home country funds and trying to blow up a mall in Cincinnati.”

The collective effect of Miller and Sessions’ messaging was to enthusiastically push a narrative that now dominates the Trump administration: that refugees and other immigrants steal Americans’ jobs, suck up too much welfare money, incubate terrorists in their communities and, overall, are a big problem.

The conclusion was always the same: The government should let in far fewer refugees, and it should think twice about welcoming Muslims.

And now, that’s exactly what Trump is doing.

For instance, in one “Dear Colleague” letter that Sessions co-authored with conservative Republican Rep. David Brat—a letter Miller blasted out to his press list—the would-be Attorney General ripped into the refugee program.

“There can be no higher duty as lawmakers than to keep our constituents and their families safe,” Brat and Sessions wrote. “Yet our reckless refugee programs, lax green card and visa policies, utter failure to enforce rampant visa overstays, along with our wide open southern border, put the U.S. at grave and needless risk.”

“Grave and needless risk”—it is a view that clearly informs Trump’s decision to temporarily ban refugees.

And a Miller press release, blasted out on November 25, 2015, included this ominous title: “U.S. Issued 680,000 Green Cards to Migrants from Muslim Nations Over the Last 5 Years.”

Sessions then forwarded that email to his email list on Jan. 12, 2016, the day of Obama’s final State of the Union address, and added this note: “Some numerical context for any discussions of refugee policy that may arise tonight. As further context, the top-sending country for migrants are Iraq and Pakistan, according to Pew. ‘Nearly all Muslims in Afghanistan (99%) and most in Iraq (91%) and Pakistan (84%) support Sharia law as official law.’”

The implication was clear as a bell: Muslim immigrants are flooding into the U.S., and they are bringing Sharia with them. Someone who agreed with Miller’s assessment would do what Trump just did.

Just about any time a refugee living in the U.S. was charged, implicated, or otherwise connected to terrorism, Miller emailed his list about it.

Another Sessions press release, sent jointly with Sen. Richard Shelby, also included ominous intonations about refugees and Muslims.

“Congress must cancel the President’s blank refugee check and put Congress back in charge of the program,” Sessions and Shelby said. “We cannot allow the President

to unilaterally decide how many refugees he wishes to admit, nor continue to force taxpayers to pick up the tab for tens of billions of unpaid-for welfare and entitlement costs.”

“The omnibus”—

Still quoting the letter from Senators SHELBY and SESSIONS—

would put the U.S. on a path to approve admission for hundreds of thousands of migrants from a broad range of countries with jihadist movements over the next 12 months, on top of all the other autopilot annual immigration—absent language to reduce the numbers,” the release continued.

That same statement also suggested that refugees were robbing elderly Americans of their benefits.

“Refugees are entitled to access all major welfare programs, and they can also draw benefits directly from the Medicare and Social Security Disability and retirement trust funds—taking those funds straight from the pockets of American retirees who paid into these troubled funds all their lives,” Sessions and Shelby said.

Now that Trump is president, those numbers are getting reduced—and fast.

Another foreboding subject line from Miller showed up in reporters’ inboxes on Nov. 20, 2015: “ICYMI: Each 5 years, U.S. issuing more new green cards to migrants from Muslim nations the population of Washington, D.C.”

Sessions also took to the Senate floor to argue that Muslim immigrants are uniquely dangerous. On Nov. 19, 2015, the Alabaman said the following about Muslims:

“It is an unpleasant but unavoidable fact that bringing in a large unassimilated flow of migrants from the Muslim world creates the conditions possible for radicalization and extremism to take hold.”

In the speech, Sessions argued that the U.S. should set up safe zones in Syria where refugees could settle—instead of allowing any of them into the United States. Miller emailed reporters as Sessions spoke to highlight his argument. Now it’s Trump’s position.

At Breitbart, Julia Hahn covered Sessions’ speech, in an article headlined “Afghanistan Migration Surging into America: 99% Support Sharia Law.” News broke earlier this week that Hahn got a job in the White House as an assistant to Trump and senior advisor Stephen Bannon.

And on and on and on, for hundreds of emails, without even a whisper of flip-flopping.

Trump’s crack-down on Muslims and refugees should not surprise anyone. He is just taking his advisors’ advice.

Trump’s Executive order sparked protests and resistance all across the Nation. People across the country and around the world are standing up to say that it contradicts our core values and that it violates the law.

Massachusetts is on the frontlines of challenging this illegal and downright offensive Executive order. Last week, Massachusetts Attorney General Maura Healey joined a Federal lawsuit to challenge that Executive order. This is what she said. I am quoting Attorney General Healey:

Harm to our institutions, our citizens, and our businesses is harm to the Commonwealth of Massachusetts. . . . The President’s Executive order is a threat to our Constitution. Rather than protecting our national security, it stigmatizes those who would lawfully immigrate to our State. With this policy, our global universities, hospitals, businesses, and startups and far too many students and

residents have been put at risk. On behalf of the Commonwealth, my office is challenging the immigration ban to hold this administration accountable for its un-American, discriminatory, and reckless decision-making.

In 2013, Senator SESSIONS voted against reauthorizing the Violence Against Women Act, a bill that expanded protections and services provided to victims of sexual assault and domestic violence.

There is a piece from the Bedford Minuteman that really tells the story of how sexual violence impacts Massachusetts. This is what it said: “They are mothers, daughters, sisters, fathers, sons, and brothers.”

The PRESIDING OFFICER. The Majority leader.

Mr. McCONNELL. Mr. President, the Senator has impugned the motives and conduct of our colleague from Alabama, as warned by the Chair.

Senator WARREN said Senator SESSIONS “has used the awesome power of his office to chill the free exercise of the vote by Black citizens.”

I call the Senator to order under the provisions of rule XIX.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I am surprised that the words of Coretta Scott King are not suitable for debate in the United States Senate.

I ask leave of the Senate to continue my remarks.

The PRESIDING OFFICER. Is there objection?

Mr. McCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator will take her seat.

APPEALING THE RULING OF THE CHAIR QUORUM CALL

Ms. WARREN. Mr. President, I appeal the ruling of the Chair, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll and the following Senators entered the Chamber and answered to their names:

[Quorum No. 3 Ex.]

Daines	Kennedy	Warren
Fischer	Klobuchar	
Hatch	McConnell	

The PRESIDING OFFICER. A quorum is not present.

The clerk will call the names of absent Senators.

The legislative clerk resumed the call of the roll and the following Senator entered the Chamber and answered to his name:

[Quorum No. 3 Ex.]

Cornyn

The PRESIDING OFFICER. A quorum is not present.

The majority leader.

Mr. McCONNELL. Mr. President, I move to instruct the Sergeant at Arms to request the attendance of absent Senators, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?