

Senator Kaine and I are also planning to reintroduce another bill called Educating Tomorrow's Workforce Act, which improves the quality of our CTE programs by setting minimum standards for CTE programs that would ensure students are able to transfer their credits, be able to have their work graded today based on today's industry standards, and use equipment that is up to date. So basically it is legislation—and again I thank Senator Baldwin for her support—to help increase the quality of CTE education. In some of our States this is working incredibly well. Ohio is one of those cutting-edge States. We have to ensure that the standards are maintained and expanded everywhere and we continue to support reauthorization to strongly support our CTE programs.

Just like the JOBS Act, this bill has been endorsed by a number of education experts and groups, and we appreciate their help, including the National Career Academy Coalition, the National Career Development Association, National Association of Secondary School Principals, and many more.

In Ohio we have some great schools, whether it is Cleveland, OH—the Max Hayes High School does an awesome job. I was there for its opening, now about a year and a half ago, and they are doing a terrific job of working with the building trades, working with private industry, working with the high schools in the area, and developing skills that are badly needed in Northeast Ohio. Ohio also has some great health care CTE programs. I mentioned the young woman who found her motivation getting involved in CTE for sports medicine.

Recently I went to Butler Tech to their health care campus, which is north of Cincinnati, and what they are doing there is amazing. You walk in and all the kids have on their white medical coats, and whether they are dental hygienists who are being trained or technologists or students who plan to go to medical school someday or those who are interested in getting a degree in nursing, there are some incredible sites. They have brought in outside partners, all from the area, who are involved with working with them. It is good for our kids but also really good for our community.

Mr. President, if we pass this legislation that I am talking about today, if we continue to focus on career and technical education as we are supposed to do this month—CTE month, February—we are going to help many millions of our young people to be able to have better opportunities and, most importantly, we are going to be able to help our economy. We are going to help create more jobs and more opportunities in this country, to be able to close that skills gap, to put people back to work. It makes too much sense for us not to come together as Republicans and Democrats alike, and with the new administration, to promote career and technical education.

With that I yield my time.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I rise today to support the nomination of Senator JEFF SESSIONS for Attorney General of the United States. He is a veteran and an outstanding public servant who has worked tirelessly for decades in service of his constituents in Alabama, in this body, as a U.S. attorney, as Attorney General of Alabama. He is a good colleague and a friend to many of us on both sides of the aisle. He is gracious with his time, his wisdom, his intelligence.

In all nomination processes there is some twisting of facts that goes on and, unfortunately, even some character attacks, but the twisting of his record and the attacks on Senator SESSIONS, in my view, have been particularly egregious. That is why I was very saddened by what happened on the floor of the U.S. Senate last night.

One of our colleagues violated rule XIX. Here is what rule XIX says: “No Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.”

That is the rule. It has been in place for decades, and I don’t think you need to be a Harvard law professor to realize that rule was violated last night.

Mr. President, like you, I have been in the Senate for a couple of years. I certainly have tried very hard to work with my colleagues, all my colleagues across the aisle, Democrats, Republicans. I have respect for all of them. I have no problem whatsoever with Senators coming down, and in the last week or so, Senators coming down to the floor of the Senate to debate their views on nominees for Cabinet positions, up-or-down votes on the merits and the qualifications of these nominees. That is what we should be doing. That is our job. We have seen a lot of that over the last several weeks.

Like the Presiding Officer, in the last couple of years, I supported some of President Obama’s Cabinet officials, was opposed to others, as is our job, on their merits and qualifications. We can do this in a respectful manner, especially here on the floor of the U.S. Senate. We can certainly do this in a way that does not violate rule XIX by imputing conduct and motives unbecoming of a U.S. Senator. More importantly, we can do this in a way that is respectful of each other. For the sake of the Senate and for the country, I hope we can get back to that tradition that is so important to this body.

Let me try to set the record straight on Senator SESSIONS, the Senator JEFF SESSIONS I know. I have gotten to know him over the last 2 years. He certainly has a long, distinguished history of public service. Nobody in this body is denying that. Everybody in this body knows Senator SESSIONS well, knows that he is a man of integrity, a man of principle. He will support the laws of

the land, and he will be a fierce advocate for the rule of law and defending the Constitution.

I wish to spend a few minutes on the broader issue of what is happening on the Senate floor right now. We are not getting a lot of press on it, but it is the unprecedented obstruction that is happening with regard to President Trump’s Cabinet. Because of this obstruction—unfortunately, by my colleagues—more than 2 weeks into President Trump’s term, he has fewer Cabinet Secretaries confirmed at this point than any other incoming President since George Washington. That is some pretty serious obstruction. Nineteen days into his term as President of the United States, President Obama had 21 Cabinet Members confirmed. Right now, President Trump has seven. President Obama had three times the numbers we now have today.

I believe most Americans—certainly the Americans I represent, fairminded Alaskans who are desperate to get our country and our economy working again—don’t like this kind of obstruction. They see a new President who should be allowed to move forward with his Cabinet in place so the Federal Government can get to work on behalf of the American people. I think Americans are also seeing the reputation of good people who want to serve their country tarnished for political purposes.

I hope the Members on the other side of the aisle understand that the American people are wise. They see through all this theater. We need to get to work. We need to let the Trump administration get to work.

This body has a responsibility to treat the confirmation process with the same courtesy, seriousness, and focus the Senate gave to President Obama when he came into office, and that has not happened right now. It is not happening right now, and we need to move forward on that.

#### VISIT BY THE PRIME MINISTER OF JAPAN

Mr. President, we are on the eve right now of a very important visit of a very important ally. Prime Minister Abe of Japan will be visiting the United States here in the next day. He is going to be visiting with some Members of the Senate, visiting with President Trump and his team.

I wish to make a few points on how important this visit is, not only for the United States-Japan relationship, but the importance of our allies. We are an ally-rich nation. When you look around the world, you look at the broad number of allies the United States has, and then you look at our adversaries or potential adversaries who are ally-poor. This is one of the most important strategic advantages the United States has right now in the world, to keep Americans safe and our allies safe. We are an ally-rich nation and our adversaries and our potential adversaries are ally-poor.

For over 7 years, since the end of World War II, both the executive

branch and this body and the House of Representatives have worked hard on this to build a system of allies all around the world to keep our country safe and our allies safe.

In his inaugural address, I was pleased to see that President Trump talked about reinforcing old alliances and forming new ones. That is exactly what we need to do as the United States of America. In terms of our allies and the importance of different regions, there is no more important ally than Japan. There are no more important foreign policy and national security challenges that exist in the world than what is happening in the Asia-Pacific with the rise of China and the security and economic challenges but also opportunities in that part of the world.

I urge all of my colleagues to warmly welcome the Prime Minister of Japan and his team and to help focus on making sure that as we move forward with a new administration, we are working together with them, we are encouraging them. As the Senate, we are very focused on this issue of deepening our existing allies and alliances and broadening the opportunities to create more.

The Senate plays a very important role in this regard. In terms of being able to keep American citizens safe, there is nothing more important than making sure we focus on our allies and, in particular, give a warm welcome to the Prime Minister of Japan this week.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I wish to start by responding to my new colleague.

I respect my colleague. We have worked together on many issues, the Senator from Alaska and I. I think he would agree it is very important that the American people, the public, have a thorough review of candidates for a position in public office who are going to have incredible influence over all aspects of their lives. That is why it is so important we undertake this process. It is a fact that many of the nominees put forward by President Trump had massive conflict-of-interest issues that need to be resolved. Many of them remain unresolved. Many of them are still not proceeding through committees because either their ethics report information has not been provided yet or they haven't passed other clearances.

So it is absolutely fitting that we in the Senate do our job to make sure the people who are placed in these positions of high office are thoroughly vetted.

I also wish to take a moment to respond to the statements regarding my good colleague, the Senator from Massachusetts, ELIZABETH WARREN.

Last night she was reading from a letter presented by Coretta Scott King at the time of the 1986 hearings on the judicial appointment of Senator SESSIONS. At the time he was a nominee to fill the vacancy.

As a new Member of the Senate, it is difficult to understand how reading that letter—I have a copy of that letter right here—could be a violation of the Senate rules, but I assume we will all have time to investigate that question. I will say that the result has been a lot more people around the country have had an opportunity to read that important letter from Coretta Scott King.

Obviously, we are gathered here as we consider the nomination for Attorney General. President Thomas Jefferson wrote: “The most sacred of the duties of government [is] to do equal and impartial justice to all its citizens.” This is the job of the Department of Justice, and I think it is worth reviewing the mandate and purpose of the Department of Justice to determine whether Senator SESSIONS is the right person for this special and unique position in the U.S. Government.

The Judiciary Act of 1789, the same act in which the first Congress created the Federal judiciary, Congress also created the Office of the Attorney General. In years thereafter, Congress empowered the Justice Department to handle all criminal and civil suits in which the United States has an interest. The Department is the largest law office in the world and the chief enforcer of our Nation’s laws. The Attorney General has to be the people’s lawyer. Upon taking the office, the Attorney General swears an oath to “protect and defend the Constitution of the United States.” More than almost any other officer of the U.S. Government, it is the job of the Attorney General to protect and carry out the Constitution’s plan of defending the rights and privileges of those who most need that protection. There is a Latin motto on the seal of the Department of Justice. It refers to the Attorney General as the one “who prosecutes on behalf of justice.” In the paneling above the door of the anteroom outside of the Attorney General’s office are inscribed the words: “United States wins its point whenever justice is done its citizens in the courts.”

As former Attorney General Loretta Lynch said after taking the oath of office, the employees of the Department of Justice are “the ones who make real the promise of justice and redress for all Americans.” She said they “continue the core work of our mission—the protection of the American people.”

She said: “The challenge in that—for you, for me, for all of us that love this Department and love the law—is to use the law to that end. To not just represent the law and enforce it, but use it to make real the promise of America, the promise of fairness and equality, of ‘liberty and justice for all.’”

I think we all recognize—and I see we have been joined by many of our colleagues from the other side of the Capitol from the House of Representatives. It is great to see them here as part of this historic debate. I see the ranking member of the Judiciary Committee,

Mr. CONYERS, as well as many other colleagues because they know this is an important moment.

Just as Loretta Lynch described the importance of the Office of Attorney General, we all have to take heed because I think all of us recognize that the story of America, the story of our country has been the story of working to live up to that original promise. It has been a long journey, and there have been a lot of broken promises along the way, and it is an unfinished journey. We know there has been a lot of blood and tears shed in order to try to make good on the ideas of equal justice and equal opportunity, of equal rights. We have come a long way—there is no denying that—but we also know we have a long way to go to meet that full promise.

The role of the Justice Department is to be a fighter for living up to that purpose, for living up to that promise, to be the champion of the people, to be the defender of those who are too often undefended, to be a fighter for those who do not have an advocate, to be the voice for people who do not have high-priced and high-powered lobbyists. They need to be the advocate for everybody, the Attorney General—someone to whom those who are feeling like they are getting an unfair shake can turn. It has to be a refuge for those who have been victimized by the powerful, someone who can speak for all of the American people.

To fulfill this responsibility, the Attorney General oversees over 114,000 employees, 60 agencies, from the Antitrust Division, the Office of Privacy and Civil Liberties, to the U.S. attorneys, and the Office on Violence Against Women Act.

The Justice Department’s Civil Rights Division, created in 1957, works to uphold the civil and constitutional rights of all Americans, particularly the most vulnerable in our society. The division is charged with enforcing Federal statutes, prohibiting discrimination on the basis of race, color, sex, disability, religion, familial status, and national origin.

The Justice Department’s Disability Rights Section works to achieve equal opportunity for people with disabilities by implementing the Americans with Disabilities Act. Forty-nine million Americans with disabilities rely on the Attorney General to protect their rights. The Justice Department’s Executive Office for Immigration Review adjudicates immigration cases by fairly, expeditiously, and uniformly interpreting and administrating the Nation’s immigration laws. That is their charge. Under the supervision of the Attorney General, the office conducts immigration court proceedings, appellate reviews, and administrative hearings that determine the fate of millions of people—and we have seen just how important that is in the last few weeks.

The Justice Department’s voting section enforces Federal laws that protect

Americans' right to vote, including the Voting Rights Act, the Uniformed and Overseas Citizens Absentee Voting Act, the National Voter Registration Act, the Help America Vote Act, and the Civil Rights Act. That is their charge.

The Justice Department's Office of Legal Counsel provides legal advice to the President and the executive branch. They are supposed to give their best legal advice and call the balls and strikes without political shadowing. The office reviews for legality all Executive orders and proclamations proposed to be issued by the President of the United States.

The Justice Department has played a vital role in advancing the promise of America. You just have to look historically to how it was not just a passive actor but made sure they did their job to be a fighter for people who were disenfranchised.

In 1957, in Little Rock, AR, the Justice Department helped to force the Governor of Arkansas to allow African-American children to attend an all-White Central High School. That was a Justice Department action under President Eisenhower.

In the years since the Supreme Court's 1999 decision in *Olmstead v. L.C.*, the Justice Department has fought to implement the goal of integration under the Americans with Disabilities Act to provide people with disabilities the opportunity to live their lives to their full God-given potential.

In 2013, in Atlanta, GA, a Justice Department investigation and prosecution in response to the beating of a 20-year-old gay Atlanta man resulted in the first conviction in Georgia under the sexual orientation provision of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act.

Again, the Justice Department is not a passive actor, enforcing the laws of the United States in order to advance equal justice in the United States of America.

This is a really important legacy to uphold, and the question is, Is Senator SESSIONS the right person to uphold that legacy?

Senator SESSIONS has represented the State of Alabama in the Senate for 20 years. He has served as the ranking Republican member of the Budget Committee, among other responsibilities here in the Senate. There may be many other positions in the executive branch for which that experience would provide an appropriate fit, but the role of the Attorney General is different. As I have said, this is a sacred duty and somebody in this position has to have a record not just of an understanding of the law but a willingness to make sure that we implement the law for all the American people.

I regret that as I examine the history of Senator SESSIONS' statements and actions, I do not believe that he is well suited for the position of Attorney General. Nothing in his history or record indicates that he will be a fighter for those who are less powerful and

those who have been left out. Nothing indicates that he will be a fighter for people of color, people with disabilities, or people in the LGBT community. Nothing in his record suggests that he will be that warrior for justice that we need in our Attorney General.

To the contrary, time and again, Senator SESSIONS has taken positions that vary with those important traditions in our jurisprudence and in our law and, indeed, are contrary, in many instances, to the very mission of the Justice Department.

Many years ago, back in 1986, I was on the floor of this Senate in a very different capacity. At that time, I was the legislative assistant for national security and defense policy to a Maryland Republican Senator by the name of Mac Mathias—a very independent Maryland Republican Senator, a liberal Republican and a real statesman. Senator Mathias was on the Judiciary Committee at the time. Strom Thurmond, the Senator from South Carolina, was the chairman. In fact, Mac Mathias probably should have been the chairman, but because of his independent streak, the Republican caucus at that time worked really hard to make sure that Senator Thurmond moved from being chairman of the Armed Services Committee to exercise his seniority on the Senate Judiciary Committee to become chairman so that Mac Mathias could not assume that position.

Senator Mathias was somebody who always looked at the facts and called the balls and strikes as he saw them—a good role model for me, a good role model for everyone. I wasn't ever thinking—it was the last thing on my mind—of running for office at that time, but as I look back, he was a good role model for a U.S. Senator.

As I said, he was on the Senate Judiciary Committee at the time. He was on the Senate Judiciary Committee during the time of the hearings when now Senator SESSIONS, then U.S. Attorney SESSIONS, was up for his nomination for a Federal judgeship. Senator Mathias listened very carefully to the testimony. Senator Mathias, I am sure, would have read the letter from Coretta Scott King. He always did his homework. He always read everything and listened to everybody. After hearing all of the testimony, Senator Mathias—and, again, the Republicans were the majority in the Senate then, as they are today—and Senator Specter from Pennsylvania, another Republican Member, cast their votes in opposition to the nomination of then Attorney Sessions for a Federal judgeship.

As I review the materials since that time—since the time that Senator Mathias cast that vote exercising his independence as a Republican Member of the Senate Judiciary Committee—I find that we have received very little assurances that there has been a change in the desire of Senator SESSIONS to be that advocate—that advocate—for justice, because all of these

many years later, we are now hearing from those who have taken the time to update his record.

I have with me now a letter that many of us received—and I have received many letters, as have my colleagues—from the Leadership Conference on Civil and Human Rights. The letter reads:

In our democracy, the Attorney General is charged with enforcing our Nation's laws without prejudice and with an eye towards justice. And just as important, the Attorney General has to be seen by the public—every member of the public from every community—as a fair arbiter of justice.

They conclude:

Unfortunately, there is little in Senator Sessions' record that demonstrates that he would meet such a standard.

They say that his 30-year record of racial insensitivity, bias against immigrants, and hostility to the protection of civil rights are among the reasons that they oppose his nomination.

The NAACP reached another and a similar conclusion, strongly urging the Senate to vote no on JEFF SESSIONS' nomination for Attorney General.

The letter reads, in part:

The Justice Department is a crucial enforcer of civil rights laws and adviser to the President and Congress on what can and should be done if those laws are threatened. Given the disregard for issues which protect the rights and, in some cases, the lives of our constituents, there is no way the NAACP can be expected to sit by and support Senator Sessions' nomination to support the U.S. Department of Justice.

Another letter from the National Task Force to End Sexual and Domestic Violence reads, in part:

The leadership organizations and individuals advocating on behalf of victims of sexual assault, domestic violence, dating violence, and stalking write to express our opposition to Senator Jeff Sessions' nomination for Attorney General of the United States of America. We have arrived at this position based upon a review of his record as a State and Federal prosecutor, during which he applied the law unevenly, and as a U.S. Senator, during which he supported laws that would afford only some members of our society equal protection under the law.

There is another opinion letter from the Religious Action Center of Reform Judaism, which has spent a lot of their time and energy over decades focused on civil rights issues. I quote from their letter of January 12, 2017:

The pursuit of civil rights has been the core of the reform Jewish movement social justice work for over 50 years. Guided by the fundamental principle that all people are created equal in the divine image and words of Leviticus, 19:18, love your neighbor as yourself, we have worked to pass landmark legislation that advances fundamental rights of all people, regardless of race, class, sex, gender identity, sexual orientation, or national origin. As the chief law enforcement officer in the country, the Attorney General has substantial power over the administration of these policies.

They go on to write:

Senator Sessions' longstanding record of insufficient commitment to voting rights, to LGBTQ equality, women's rights, immigration reform, and religious freedom causes us

to believe that he would stand in the way of the Justice Department's mandate to ensure equal protection under the law.

There are many other letters like this one from people who took a thorough review of the record of the President's nominee to be Attorney General.

I would like to discuss something that has received a little bit less attention regarding Senator SESSIONS' record, and that is what I believe and what those who pay close attention to these issues believe has been a poor record in support for individuals with disabilities. This is especially important given the debate we had just the other day on the nomination of Mrs. DeVos to be the Secretary of Education, because she indicated in her testimony before the HELP Committee that she thought that it was a State obligation, not a Federal obligation, to enforce the IDEA law—the Individuals with Disabilities Education Act. So we should take a little time to look at the record of Senator SESSIONS with respect to the rights of people with disabilities.

One such occasion was a big moment on the floor of this Senate. It is when the Senate considered the ratification of the Convention on the Rights of Persons with Disabilities, a treaty that had been negotiated under President George W. Bush and later signed by President Obama. Although I was serving in the House of Representatives at the time, I got lots of urgent calls and letters from constituents and friends in the disability community about the importance of the United States ratifying that convention. But in his remarks on the floor of the Senate, Senator SESSIONS not only opposed it, but he called the convention on the rights of persons with disabilities "dangerous."

There have been few moments on this floor where Senators were more eloquent about that convention than former Senator and former presidential nominee Bob Dole, who appeared on the floor at the time, and who is no longer a Senator. He did in committee testify in favor of ratification of the convention that was before the Senate. He recalled during his testimony his maiden speech, the very first speech here in the U.S. Senate of Senator Dole. His first speech occurred on April 14, 1969. It was the anniversary of the day he was wounded in World War II. He delivered his maiden speech on persons with disabilities, about the importance of protecting and ensuring the rights of people with disabilities. He, as we know, was disabled in action fighting for our country.

In his testimony to the committee in 2012 on the convention, he said:

It was an exceptional group I joined during World War II, which no one joins by personal choice. It is a group that neither respects nor discriminates by age, sex, wealth, education, skin color, religious beliefs, political party, power, or prestige. That group, Americans with disabilities, has grown in size ever since. So, therefore, has the importance of maintaining access for people with disabilities to mainstream American life, whether it's access to a job, an education, or registering to vote.

Those were words of Senator Dole urging the Senate to ratify that convention. He went on to point out U.S. leadership on advancing the rights of persons with disabilities, particularly with the Americans with Disabilities Act. He pointed out that current U.S. laws in place in 2012 were already enough to make sure the United States satisfies its obligations to the international Convention on the Rights of Persons with Disabilities. Joining the treaty, Senator Dole said, would "reaffirm the common goals of equality, access, and inclusion for Americans with disabilities—both when those affected are in the United States and outside of our country's borders."

Senator Dole believed so powerfully in the importance of this treaty that, as I indicated earlier, he came to the floor of this Senate many, many years after he served here and hoped that his presence on the floor of the Senate would convince his Republican colleagues—and all his colleagues—to support that convention. Unfortunately, when the vote came down, it failed in getting the higher level of votes necessary for ratification by only 5 votes. One of those votes was that of Senator SESSIONS who, as I indicated, said that this convention on disabilities was "dangerous." He rejected an international treaty that had been signed and supported by both Republican and Democratic Presidents, negotiated by President Bush and signed by President Obama. It imposed no additional obligations on the United States. It just said that we stand with others in the international community to support the billions of people around the globe who have a disability.

On that issue, Senator SESSIONS stood against nearly every veterans organization in our country. He stood against a broad coalition of disability rights groups, including the Alabama Disabilities Advocacy Program. He advanced a theory that somehow U.S. sovereignty would be called into question. Yet, as then-Senator Dick Lugar, the Republican chairman of the Senate Foreign Relations Committee, pointed out, the United States had already satisfied its obligations and to make that clear, the declaration in the resolution of advice and consent stated simply at the time: "The Senate declares that, in the view of the reservations to be included in the instrument of ratification, current United States law fulfills or exceeds the obligations of the Convention for the United States of America."

Despite the presence of Senator Dole on the floor and the support of the chair of the Senate Foreign Relations Committee, Senator Lugar, Senator SESSIONS opposed that.

If that were the only incident where Senator SESSIONS failed to uphold the rights of people with disabilities—maybe, maybe, maybe—I am not sure

it would be understandable. But it is not the only incident. Senator SESSIONS also made deeply concerning comments about the Individuals with Disabilities Education Act, or IDEA, which we have heard so much about in the last couple of days during the debate on the nomination of Mrs. DeVos. Senator SESSIONS referred to the IDEA, or Individuals with Disabilities Education Act, as perhaps "the single most irritating problem for teachers throughout America today" and "a big factor in accelerating the decline of civility and discipline in classrooms all over America." The most irritating problem was our national commitment to try to make sure that every child—every child, regardless of disability—had a chance to achieve his or her full God-given potential. That was apparently irritating.

Senator SESSIONS claimed that "special treatment for certain children" created a distraction in the classroom. Special treatment. That is not what IDEA is about. The idea of IDEA legislation was to make sure all kids could get an appropriate and decent education. It wasn't there to give kids with disabilities some kind of advantage, just a chance, along with the other kids.

As to the so-called issue of special treatment, "special treatment" is a concerning trend in many of Senator SESSIONS' statements—not just with respect to individuals with disabilities, but in many other cases. In far too many circumstances, he appears to conflate steps to protect the rights of a minority or disadvantaged group that has historically faced persecution or discrimination as somehow an effort to give that group an elevated status over everybody else instead of just an equal chance with everybody else. The idea that the IDEA legislation to help kids with disabilities get an education in school was somehow a big advantage to them over other kids without disabilities is a striking and revealing statement, and it is one that carries through and on to other circumstances.

I am concerned that Senator SESSIONS fails to recognize that there are communities in this Nation that truly have been subjected to discrimination and that are disproportionately affected by certain policies and need sustained civil rights protections—not to give them an elevated status, but simply to give them an even playing field with everybody else.

It is the job of the Attorney General of the United States to make sure all of our citizens are treated equally under the law. The notion that somehow protecting the rights of groups that have been historically discriminated against is a bad thing and gives them an advantage doesn't conform to the reality of our country. I think we all know that.

This same issue came up with respect to Senator SESSIONS' position on the Matthew Shepard hate crimes bill. He called it a "special protection" for

LGBT individuals rather than an acknowledgement that these individuals had been historically discriminated against and put at risk of greater violence. He criticized Supreme Court Justice Sonia Sotamayor for her decision that disenfranchising felons violated the Voting Rights Act, saying that her analysis that the policy had a disproportionate impact on African Americans was somehow “a bridge too far.”

I am sure that if Mrs. Coretta Scott King were here today, she would say that we need to continue to travel along our journey toward meeting our promise of equal rights, equal justice, and equal opportunity, and ensuring justice for groups that have been discriminated against historically—whether on racial grounds or on grounds of gender or of on sexual orientation. That is not somehow to give them an advantage but to recognize that they have faced historic discrimination, and to provide them with a chance.

Just yesterday in Maryland, following the efforts of my good friend and our State attorney general Brian Frosh, a Maryland court overhauled the cash bail system in our State. I think all of us who have seen the way the criminal justice system operates know that far too often cash bail ends up criminalizing poverty. According to the Pretrial Justice Institute, “47 percent of felony defendants with financial bonds can’t pay and stay in jail until their case is heard.” In other words, they simply can’t afford to make bail, and so they stay in jail, sometimes for years. Not only is it costly to hold people for an extended period of time prior to trial, but we know it has sometimes incentivized people—people who were innocent of the crimes they were charged with—to strike plea deals simply because they can’t afford to pay the bail and they can’t afford to spend months or years away from their homes or families.

Like many people in organizations, I have looked at Senator SESSIONS record with respect to the issue of criminal justice reform, and it is lacking in the need to find a bipartisan solution to what is recognized across party lines as an important effort that we need to make—criminal justice reform—because we know we have too many people who are currently locked up for nonviolent offenses, including many substance abuse offenses.

It makes no sense within our system to have the kind of mass incarceration we have seen in our country, where we have 5 percent of the world’s population but 25 percent of the world’s prison population. There is a bipartisan recognition that justice demands we change that. Unfortunately, I have not seen that recognition in the record of Senator SESSIONS.

In remarks on the Senate floor in 2002, Senator SESSIONS also criticized a Supreme Court ruling about the execution of people with intellectual disabilities.

The Court found that people who had incredibly diminished intellectual capacity should not be executed—that it violated the Eighth Amendment’s ban on cruel and unusual punishment because these are individuals who could not form a capacity, an intent—and that we should not execute people who did not form that criminal intent, the mens rea. That was an advance in our Federal jurisprudence, yet that was severely criticized by Senator SESSIONS. So that statement, along with his position on IDEA and his opposition to the convention on peoples with disabilities raises many, many troubling questions regarding his willingness to protect individuals who need protection.

We also recognize that the Attorney General has to be somebody who is independent, who is willing to stand up to a President if a President is calling upon the Justice Department to take an unlawful action or an action inappropriate or inconsistent with the interests of justice.

In 1904, in a letter to the Attorney General, President Theodore Roosevelt said:

Of all the officers of the Government, those of the Department of Justice should be kept most free from any suspicion of improper action on partisan or factional grounds, so there shall be gradually a growth, even though a slow growth, in the knowledge that . . . the representatives of the Federal Department of Justice insist on meting out even-handed justice to all.

Senator SESSIONS himself made the point when he questioned then-nominee Sally Yates about her responsibilities in the Justice Department of President Obama. Senator SESSIONS told Ms. Yates:

You have to watch out because people will be asking you to do things and you need to say no. You think the attorney general has the responsibility to say “no” to the President if he asks for something that’s improper? A lot of people have defended the Lynch nomination, for example, by saying, “Well, he appoints somebody who’s going to execute his views. What’s wrong with that?” But if the views the President wants to execute are unlawful, should the attorney general or the deputy attorney general say no?

That was the question posed by Senator SESSIONS.

Ms. Yates answered:

Senator, I believe the attorney general or the deputy attorney general has an obligation to follow the law and the Constitution and to give their independent legal advice to the President.

That is exactly what she did. That is exactly what Deputy Attorney General Yates did just a few days ago when President Trump asked her to take an action which in her opinion was inconsistent with the laws of the United States. She did what Senator SESSIONS asked her to do at that hearing, and she was fired.

Let’s look at the record of Senator SESSIONS’ willingness to stand up in an independent way to some of the outrageous statements that have been made by President Trump.

After the terrorist attack in San Bernardino, CA, Mr. Trump called for a “total and complete shutdown of Muslims entering the United States until our country’s representatives can figure out what . . . is going on.”

He went on to reiterate his plans for a Muslim ban in a March 2016 CNN interview and a later speech. What did Senator SESSIONS do at that important moment? At that time, Senator SESSIONS was an early supporter of not only Mr. Trump but his call for a Muslim ban. Just days after Candidate Trump first made his Muslim ban proposal, Senator SESSIONS told Steve Bannon on Breitbart’s radio program:

We’re in an age that’s very dangerous and we’re seeing more and more persons enter. And a lot of them have done terrorist acts and a lot of them believe it’s commanded by their religion. So I think it’s appropriate to begin to discuss this [Muslim ban].

We all want the greatest security for our country. We all want to make sure bad people don’t get here. But I think we also understand as Americans that a religious test violates the principles of our Nation.

Senator LEAHY pointed out at Senator SESSIONS’ confirmation hearing that Senator SESSIONS opposed a resolution saying the United States should not use religious tests for immigration into the country, that they were antithetical to our founding principles. Nevertheless, when it was time to be counted and stand up, Senator SESSIONS did not do that.

More recently, we heard President Trump criticize the Washington State judge—and I see our leader, my friend Senator MURRAY, on the floor. He criticized the decision of a Federal district judge, and he did it, as we know, in a dismissive way, tweeting that he was a “so-called judge.” That is another moment when—whether you support President Trump and his campaign or you support his actions as President, it is a moment when, if you are going to be the chief law enforcement leader in the country, you say: Mr. President, really, that is not an appropriate thing to say.

Senator SESSIONS had another opportunity to challenge then-Candidate Trump on an earlier occasion when Candidate Trump criticized the judge who made a ruling against him in the Trump University case and criticized him on the grounds of his heritage. That was an opportunity when others in this country, even people who were supporting Candidate Trump, said: You know what, that is out of line. That is out of bounds.

We did not hear from Senator SESSIONS. Maybe Senator SESSIONS was being looked at for another executive agency where that question was less important, where maybe it wouldn’t carry so much weight. But for the Attorney General of the United States, we need somebody there who is going to be independent, somebody who is going to be willing to challenge the President of the United States when he

suggests unlawful actions or makes statements that are inconsistent with the system of justice.

Finally, on the issue of voter fraud, I think all of us have heard from President Trump about his claim that he really won the popular vote. We shouldn't even be here talking about it, but he keeps talking about it. He claims that he really won the popular vote, that it was these 3 million people who cast fraudulent ballots—zero evidence, no evidence, and yet when Senator FRANKEN asked Senator SESSIONS about these claims of voter fraud, these unsubstantiated claims of massive voter fraud, Senator SESSIONS didn't take the opportunity to say: You know what, I support President Trump, but he is out of line; he is wrong to make these outrageous claims. He didn't say that. In fact, President Trump at one point was talking about having the Justice Department or the FBI look into this very question.

I am not satisfied at all that Senator SESSIONS would meet his own test—the test he presented to Sally Yates when she was up for her nomination for Deputy Attorney General about whether she would stand up to what she considered an unlawful order by the President of the United States. She did. She was fired. There is no evidence that Senator SESSIONS would stand up under those circumstances, and we need an Attorney General who will stand up for the law and for equal justice and for every American.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota

Mr. ROUNDS. Mr. President, I rise today regarding the upcoming confirmation on Senator JEFF SESSIONS of Alabama to be Attorney General of the United States. For the past 3 years, I have had the great pleasure of working with Senator SESSIONS in this body. We served together on both the Senate Armed Services and Environment and Public Works Committees. Within those committees, as well as on other issues that have come before the Senate during that same time period, I have found that Senator SESSIONS is extremely forthright, hard-working, and Senator SESSIONS is honest. He has served Alabamans and all Americans well during his 20 years in the U.S. Senate.

In addition to serving on the Armed Services and EPW Committees, he also serves on the Senate Judiciary and Budget Committees, all of which address vital aspects of our Federal system.

Senator SESSIONS also had a distinguished career before he was elected the U.S. Senator from Alabama. After graduating from the University of Alabama with a law degree, Senator SESSIONS practiced law in Russellville and Mobile, AL. In 1975, he took the oath to defend the Constitution of the United States as an assistant U.S. attorney—the first step in a long and honorable career as a prosecutor. In 1981, Senator

SESSIONS was nominated by President Reagan and confirmed by the U.S. Senate as the U.S. Attorney for the Southern District of Alabama. He served honorably in that role for 12 years. Senator SESSIONS was then elected Alabama attorney general and served in that role until his election to the U.S. Senate.

It is clear to me that Senator SESSIONS is exceptionally and perhaps uniquely qualified to serve as the Attorney General for the United States. He served as a line prosecutor and, as U.S. attorney and Alabama attorney general, as the chief Federal and State law enforcement authority. He has personally handled or managed a wide variety of cases—criminal and civil, trial and appellate. Senator SESSIONS also has extensive experience in the Federal system and, as a former State attorney general, a deep respect for State and local law enforcement and the role of States in our Federal system.

There is an attribute even more important than experience, in my opinion, and that is integrity. Over the course of his career, Senator SESSIONS has demonstrated a deep respect for the Constitution and the rule of law, and ultimately, I believe that is what is most important in an Attorney General of the United States.

In 1935, the U.S. Supreme Court wrote this about the role of a U.S. attorney, and I think it applies similarly to the Attorney General:

A federal prosecutor “is the representative not of an ordinary party to a controversy, but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all and whose interest, therefore, in a criminal prosecution is not that it shall win a case, but that justice be done.”

The Supreme Court continued:

[A]s such, he is in a peculiar and very definite sense the servant of the law, the twofold aim of which is that guilt shall not escape or innocence suffer.

I support Senator SESSIONS as Attorney General of the United States not only because his experience makes him qualified to serve but more importantly because his character makes him qualified to serve. Senator SESSIONS will, in the words of the Supreme Court, be a certain “servant of the law” and will make certain that justice is done for all Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Washington.

Mrs. MURRAY. Mr. President, I stand here today to give a voice to the thousands of people who have contacted me in recent weeks urging me to vote no on this nomination. First, I need to express my frustration and outrage about what happened here on the floor last night.

In the middle of a debate about the next Attorney General—someone whose job it will be to defend the rights of all Americans; whose job it is to defend people from discrimination, inequity, and unfairness; whose job it is

to defend women, to defend people of color, to defend all those who are too often told to sit down, stand down, be quiet—we saw the Republican leader selectively use the rules to silence our colleague, a woman Senator, who was reading the words of an African-American woman and a historic civil rights leader, reading the words of someone who embodies the fight for justice, for freedom, for equality, and for civil rights in America; someone who all of us should be looking to for lessons in these times, not someone whose words should be silenced because she said something people may not enjoy hearing.

At a moment when we are engaged in a debate about how best to defend our fellow citizens from discrimination and fight back against forces that seek to demean others in order to gain power, I was stunned. I respect the decorum that the Senate strives to maintain, but there are times when you cannot stay silent. This is one of those times. We will not be silent.

So I want to say that I stand with my friend, the Senator from Massachusetts. I stand with the words of the late Coretta Scott King, and I stand with the many people who have contacted me about this nominee that we are debating here today. I can tell you that the day President Trump announced he had picked Senator JEFF SESSIONS to lead the Department of Justice, the phones in my office lit up. People from across my home State of Washington contacted my office to express their shock, their outrage, and their fear.

The calls came from people who help LGBTQ youth experiencing homelessness; groups who have tirelessly advocated for necessary criminal justice reform; families caught in a broken immigration system; civil rights advocates and community leaders who have fought for decades to create a more just society; advocates and nonprofits trying to help women escape domestic violence. The list goes on.

That was in November. And in the weeks and months since the President made his choice for Attorney General known, those concerns have not died down. In fact, they have only gotten louder and more urgent as the public gets a better look at Senator SESSIONS' long record, what he stands for, and where he wants to take this country. I share their concerns.

It is why I will oppose Senator SESSIONS' nomination to be Attorney General. I urge my colleagues to join me to reject this nomination, and send a message to the new President about the rule of law in this country. Send a message to the new President, who came into office showing blatant disregard for our traditions of transparency, traditions that tell us the President has a duty to put the needs of the American people before the needs of his bank account. Send a message to someone who, just weeks into his term, has displayed shocking disdain for the U.S. Constitution and the separation of powers, the

same President who fired an Acting Attorney General because she refused to ignore the law, to approve his hateful and unconstitutional Executive order barring refugees; the same President who ridiculed a well-respected Federal judge in Seattle, a George W. Bush appointee, because the judge didn't rule the way he wanted.

The U.S. Attorney General is often the last line of defense for our Constitution within an administration. And they need to be the first to stand up to our President when our President is wrong.

Senator JEFF SESSIONS is not that kind of nominee. The people of this country expect and deserve an Attorney General who will protect their civil and constitutional rights and liberties. They deserve someone committed to the principles of inclusiveness and justice—someone who will fiercely defend the rights of all Americans to be treated equally under the law. The American people need an Attorney General who continues to make the fight against racism, discrimination, and hate crimes a core part of that Department's mission. We know Senator SESSIONS is not the person for that job.

More than 30 years ago, he couldn't even pass muster in a Republican-majority Senate. During his confirmation hearing, Senators cited his racially charged comments and his shameful record on civil rights as a U.S. attorney as reasons they could not support him. And as my late colleague Ted Kennedy said at the time: "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."

I ask my colleagues who are inclined to support his nomination today, What has changed? I have served alongside Senator SESSIONS for years, and I know his record all too well. And like my constituents who started sounding the alarm back in November, I am deeply concerned by his agenda that would take our country backward.

Senator SESSIONS has dismissed one of our bedrock civil rights laws, the Voting Rights Act, as "intrusive," while pushing restrictive voter ID laws and fueling conspiracy theories about voter fraud. I watched as he refused to work with a bipartisan majority of the Senate on immigration reform and instead pushed extreme policies that would punish the most vulnerable members of our communities. And that, by the way, included DREAMers across the country who have never known another home besides America. His personal passion on that issue and his years of advocacy against commonsense immigration policies cause me great concern about whether he would use the Department of Justice to pursue his extreme anti-immigration agenda.

On criminal justice reform, he beat back efforts from within his own party to address the exploding race of incarceration across this country. The injustice of these laws falls disproportionately on communities of color.

Time and again, he has defended laws that favor throwing nonviolent offenders in jail rather than working to rehabilitate them, even though it has been consistently proven that prison is not a means of rehabilitation. This nominee's views on criminal justice reform are so out of the mainstream, his position is even at odds with the Koch brothers.

At the very time our Nation engages in a critically important debate about ensuring equal treatment under the law, as we continue the struggle to make sure equality shines through our education system, our justice system, our economy, and our country, Senator SESSIONS remains dismissive of the very tools our Justice Department must use to move us forward.

When I joined so many of my colleagues in the Senate to reauthorize and improve the bipartisan Violence Against Women Act to protect women across the country, Senator SESSIONS worked against us to tear it apart. As someone who has sat face-to-face with survivors of domestic violence and fought to increase protections for those dealing with sexual assault, I can see why people would question whether Senator SESSIONS has any intention of enforcing the laws that protect them because I wonder that myself.

This nominee's track record of trying to undermine women's constitutionally protected reproductive rights is horrifying and should, by the way, scare every woman in this country.

I have heard from so many members of the LGBTQ community who are terrified that Senator SESSIONS would be tasked with protecting their rights. His votes against repealing don't ask, don't tell and expanding hate crimes definitions to include LGBTQ Americans confirm those fears.

This alone has to give my colleagues pause when so many Americans—our friends, our family members, our coworkers—fear that their government will look the other way as they endure violence, discrimination, and marginalization just because of who they love or how they live. We must fight back with everything we have.

When this President attacks the independence of our judges—judges who have declared the obvious, that the Muslim ban Executive order is unconstitutional—we cannot put the person who Steve Bannon calls "the fiercest, most dedicated and most loyal promoter" of the President's agenda at the head of the Department of Justice. This is not who we are.

Senator SESSIONS is not the Attorney General this country needs. I urge members of the Senate to stand up for the Constitution, to stand with your fellow Americans. The stakes are far too high to make Senator SESSIONS our next Attorney General.

I urge you to join with me in voting against this nomination. Now more than ever, we need an Attorney General who will be independent and willing to stand up to President Trump's

illegal and unconstitutional actions whenever they happen.

The last thing this country needs right now is a rubber stamp to validate this administration's illegal actions.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. It is always disturbing to sit in this Chamber and listen to some of the speeches. I am wondering if even a saint could get approved without a filibuster in this body.

#### NOMINATION OF TOM PRICE

Mr. President, I am pleased today to come to the floor in support of another friend, someone I am honored to have worked with for many years, and that would be Dr. TOM PRICE. When I first heard that President Trump nominated Dr. PRICE to serve as Secretary of Health and Human Services, I was reassured to know that one of the most capable, well-prepared individuals President Trump could have chosen would fill such an important post.

Health care is highly complex, highly specialized, and it has a significant impact on our Nation. Our Federal Government's involvement in health care has changed dramatically over the last few decades, and that change has accelerated in the last few years. Health care makes up one-sixth of our economy, and the Department of Health and Human Services has a tremendous impact on all parts of all sectors of health care. Who better than a doctor should head an organization that covers the wide variety of major health care programs?

Let me mention just a few that a doctor should be in charge of. One would be Medicare, another is Medicaid. And then there is our vast biomedical research functions at the National Institutes of Health, usually referred to as NIH. Then there is our domestic and international public health work at the Centers for Disease Control and Prevention, or CDC; the review of innovative and lifesaving drugs and devices at the Food and Drug Administration, or FDA; or how about our preparedness in the development of medical countermeasures at the Biomedical Advanced Research and Development Authority, or BARDA; and many other programs impacting the Nation's health that also provide an alphabet of initials.

Who better to understand the most important side of health care, the patient, than one who is, at the end of the day, the person that takes care of the patient? The patient is the biggest factor in all health policies. These policies are too often put together here in Washington. Hundreds of bureaucrats sit in offices, deciding what patients ought to have done to them. Sitting here in offices without being doctors, without having treated patients, I will be glad to have someone in charge there who, instead, considers what the patient wants done.

In the Senate HELP Committee hearing with Dr. PRICE, he spoke about his