

what elections are about. The Attorney General, more than any other Cabinet official, must be the people's lawyer, an advocate for the rule of law above all else.

My office has received nearly 23,000 calls and emails opposing this nomination. Many of them I cannot read today on the floor for fear of violating the Senate rules. But it is clear from these comments that young Coloradans who came to the United States and know no other country but this country, who arrived here illegally, but, through no fault of their own, fear they will be deported back to a country they don't know—it is clear to me from the comments that I have received in these letters that Coloradans in the LGBTQ community fear that an Attorney General SESSIONS would turn a blind eye toward discrimination. It is clear from these comments that Senator SESSIONS has not earned the confidence of many Coloradans who may soon rely on him to protect their rights and to identify abuses of constitutional power. And Coloradans, many of whom I know, fought for equality and justice during the civil rights movement, and fear that it will turn back much of the progress we have made.

We have a disagreement about Senator SESSIONS' role before he came to the Senate, but the fundamental reason I object to his nomination as Attorney General is that he led the fight in 2013 against our bipartisan effort to reform the broken immigration system in the United States. And I sat here on this Senate floor night after night after night listening to the Senator use fear and inaccuracies to derail our best chance in years to fix this broken immigration system.

Now, in time, I have come to understand that people come to this floor and they don't always—they are not always accurate in what they say. Sometimes they don't mean to be accurate; sometimes they are just mistaken. That was the first time I had ever heard that kind of relentlessness, saying things that just weren't right. I am being careful with my language because of last night's ruling.

He claimed that our bill—and, by the way, that bill, unlike almost anything that has happened in this place in the 8 years that I have been here—started out as a bipartisan effort, four Democrats and four Republicans working together for 7 or 8 months in a room trying to solve each other's issues.

There is a lot about the Senate today that the American people should not and cannot be proud of, and I will come to that in a minute. But as to the work of the Gang of 8, I would have been happy for people to have seen what happened behind closed doors in those 7 months. It is how the Senate ought to operate. It went to the Judiciary Committee where Democrats and Republicans together amended the legislation. They made it better. And then it came to the floor of the Senate and we had more amendments, and it passed with 68 votes.

It still hasn't passed the House. It has never even gotten a vote on the floor of the House of Representatives.

Senator SESSIONS claimed during that debate that our bill would have “dramatically increased incidence of criminal alien violence, officially legalizing dangerous offenders, while handcuffing immigration officers from doing their jobs.”

He claimed it would have legalized “thousands of dangerous criminals while making it more difficult for our officers to identify public safety and national security threats.”

Senator SESSIONS claimed our bill would lead to a “huge increase in immigration,” invite a flood of immigrants into our Nation who would steal jobs from “struggling American workers.”

These claims are demonstrably untrue. If our bill had become law, we would have secured our borders, we would have bolstered internal security, we would have better protected American workers, and we would have strengthened our economy.

Contrary to his characterization of what was in that bill, the 2013 bill provided far greater security than President Trump's plan.

The first two words in the title of that bill were “border security.” That has been completely ignored by the critics. It has been completely ignored by people who want to make an issue out of this in national campaigns. But the reality is it provided billions of dollars toward new technologies to monitor the border. It called for the building of a 700-mile fence. By the way, none of the rest of it would come to pass until we took care of the border.

Nearly 20,000 new Border Patrol agents—four times more than ordered by President Trump and double the current number—and not paid for by raising taxes on the American people at our border with Mexico, not paid for in a way that would destroy our trading relationship with Mexico, but paid for by fees that people were paying as they were becoming lawful in the United States of America. It had protections in the bill for American workers to ensure that employers hired American labor first. I know he objected to this, and I understand we had a difference of opinion, but the bill included a tough but fair path to citizenship, requiring people to go through background checks as part of a long path to citizenship.

During the Presidential campaign, Senator SESSIONS advised President-Elect, now-President Trump on immigration policy. In fact, my understanding is the President's immigration Executive Orders—including one being challenged in court—mirror Senator SESSIONS' positions. These positions are antithetical to our history, to our values, to whom we are as a country.

Last Friday was the highlight of my year. I got on a plane and I left Wash-

ington—that was pretty good in and of itself—to go home to Colorado. On Friday, I went to Dunn Elementary School in Fort Collins, CO, where Kara Roth's fifth grade class welcomed 26 new Americans from 13 countries to the United States. It is an International Baccalaureate program in this elementary school. This is an annual event.

We were there in the gym, and the fifth graders were there singing; a young girl had won an essay contest on “What it Meant to be in America.” There was a color guard. Kids came in wearing their Boy Scout uniforms to post the colors, the American flag, and the flag of Colorado. The fourth graders were there watching what they would be doing next year as fifth graders.

There was no need for a politician to tell anybody in that room that America is an exceptional country. No politician needed to say that to the fifth graders in Mrs. Roth's class who were studying the Constitution and studying immigration. We certainly didn't need to tell that to the immigrants from all over the world. I think I mentioned, they were from 13 different countries.

One of the great parts of the ceremony was when they asked people to stand up to the country from which they came, and fifth graders also stood up if they were from that country. There were kids from China; there were kids from Mexico standing up in this fifth grade class; incredibly, three kids from Libya whose parents are at the university in some capacity in Fort Collins.

As always in these naturalization ceremonies, people had tears in their eyes because as one of them once said to me at another time in Colorado, his dream had come true the minute he became a citizen of the United States because he knew his children would be citizens of the United States of America. Everybody in the room knew that.

What is important for us is these fifth graders' perspective on American government, on democracy, and on the history of this Republic I think probably may not be quite exactly right because they, thank goodness, have been untarnished by special interests, untarnished by campaign money and partisan fighting, and power struggles that have nothing to do with the American people or their priorities.

Their view of what the essence of self-government is all about is really what it is all about. It is really what we are supposed to be doing here: a commitment to a republic and democracy, a commitment to the rule of law, a commitment to the separation of powers. The stuff they are reading in their little Constitution just like this one is what this place is supposed to be about. It is supposed to be what we are doing here. It is the reason why I am objecting to this nomination.

TRUMP ADMINISTRATION AND THE JUDICIARY
AND FREE PRESS

More than that, I feel compelled to talk a little bit about President

Trump's attacks on the judiciary and free press over the last several weeks since he has been sworn into office, since he has taken the oath of office to be President of the United States. He has repeatedly undermined the credibility of Federal judges doing their constitutional duty to uphold the rule of law simply because he disagrees with them.

The Vice President said the other day: There is a tradition in America of one branch of government criticizing another branch of government. There is no tradition, that I am aware, of a President meddling in an ongoing case in an article III court.

Just today, he called our courts "political." That is about the most damaging thing you could say about our independent judiciary. He said that last night's Federal appellate hearing was "disgraceful." A decision hasn't even been rendered in the case, and he is saying it is "disgraceful."

Earlier this week, he accused what he called "dishonest" American journalists of, his word, "ignoring" terrorist attacks in the name of some unnamed hidden agenda.

I wish to say, I sat through the last speech at some length, and I want to make sure I get it on the record; so through the Chair, I beg the indulgence of my colleagues for a few more minutes.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD.

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

[From the Denver Post, Feb. 6, 2017]

WITH LATEST BASHING, LYING TRUMP GETS
SINISTER INDEED

(By The Denver Post Editorial Board)

Donald Trump's weekend bashing of a federal judge, and Monday's attack of news organizations for supposedly sharing a hidden agenda with terrorists, goes way too far, and would seem out-there crazy if it weren't also rather frightening.

Where to begin? Let's hope that President Trump wasn't aware of an imminent terror plot in his rush to slam down his refugee and travel ban. For if he was, his approach to the threat has backfired so horrendously it could be some time before his administration is able to reinstate it, or, hopefully, a more thought-out version. Now that Judge James Robart rendered the travel and refugee order unenforceable, it is likely that the matter won't be resolved until it makes it to a divided U.S. Supreme Court, where its chances could meet the futility of deadlock.

We hope Trump sees the error in his strategy. Even for the president of the United States, working to achieve on-the-ground results within our massive federal government takes skill, and some buy-in from those charged with making it so.

Trump's order had none of that. Officials in all the relevant agencies knew too little about it until it went into effect. No wonder lawsuits resulted, and that one of them persuaded a judge to block the order.

Sadly, Trump doesn't appear to have gotten the message. Just as he did on the campaign trail, when he insulted a judge by claiming his Mexican heritage disqualified him to rule in a case involving Trump Uni-

versity, Trump attacked Judge Robart. "Just cannot believe a judge would put our country in such peril," the president posted on Twitter on Sunday. "If something happens blame him and court system. People pouring in. Bad!"

Had the president stuck to defending his executive power, he would have been on solid ground. But surely it is outrageous to argue that, in making a ruling based on his review of the law, Robart deserves to be held accountable for any lawless action perpetrated from terrorists long sworn to harm Americans.

Then, on Monday, Trump told members of the military that news organizations have been intentionally covering up terror attacks, saying that "in many cases the very, very dishonest press doesn't want to report it. They have their reasons, and you understand that."

To back his assertion, Trump pointed to the exhaustively reported terror attacks in Paris and Nice.

American journalists have been killed reporting on terrorists. They've been beheaded. It would be impossible to calculate how many words have been written in the overall war-on-terror beat. To suggest that some kind of shared bias exists throughout American newsrooms so strong that it compels journalists to hide truth and thereby endanger the public is as dangerous as it is demonstrably untrue.

So, once again, Lying Trump takes the stage. When he can't make the grade, he blames others. Doing so is a common enough human reaction to personal weakness, but to falsely suggest—based on the known evidence—that members of the judiciary and the press are somehow on the side of enemies of the state points to either a cracked mind, or something more sinister.

Americans shouldn't buy what our president is selling. The truth is Trump botched what could have been a reasonable attempt to make the country safer. His mistakes gave our enemies a huge morale and recruiting boost. And his bashing of others is as unseemly as it is dishonest.

Mr. BENNET. The Denver Post editorialized yesterday, stating the obvious horrible truth here:

American journalists have been killed reporting on terrorists. They've been beheaded. . . . To suggest that some kind of shared bias exists throughout American newsrooms so strong that it compels journalists to hide truth and thereby endanger the public is as dangerous as it is demonstrably untrue.

That is right. It is dangerous. It is dangerous for the leader of the free world to be saying that journalists are crooks; that the facts they are publishing in newspapers and online are untrue when they are true. It is dangerous when we are engaged in an experiment of self-government that goes back about 240 years to the founding of this country to refute things that are absolutely true as false and to claim that the reason they are being raised is because people lack integrity; that journalism is all about false news.

The White House put out a list of, I think it was in the seventies, of terrorist attacks they claim had never been reported, and newspaper after newspaper after newspaper had to run lists of the events that the White House described as unreported and then have links to the stories in their own newspapers and other newspapers that had reported on terrorists. As the Den-

ver Post noted, and it is worth remembering this, there are journalists who have lost their lives trying to cover this story to have us better understand what is happening in the Middle East, what the threat of terror looks like, and have been beheaded on television because they took that risk.

With respect to the judges, for years it has been so painful around here to get anybody confirmed. I see these folks who are lawyers who have to put their law practice on hold for something that should be the greatest reflection of achievement of their life, being appointed to a Federal district court in this country, and who wait and wait and wait because of the unconscionable delay and disputes and partisan bickering that happens here instead of getting people on the court to do the job that they need to do.

Now we are going to be in the business of accusing judges and the judiciary of being crooked, of not following the law, of just playing politics. I think it is really important for us—not just Democrats but also Republicans—and I know my colleague is here from Florida. I wish to say in this body how much I appreciated his comments last night. He may not appreciate that I am saying that, but I appreciate his comments because a lot of what he said I completely agree with.

I know it has become fashionable to tear down rather than work to improve the democratic institutions which generations of Americans have built. This place didn't get here by accident. It is not a fluke. The Founding Fathers would be shocked—shocked—to know this Republic still exists. They would be proud. I think they would be proud of the progress we have made, but they would be shocked, at the time they were compromising with one another—slave owners and abolitionists, compromising to create this Republic that had never existed in an expanse as big as the Thirteen Colonies geographically or with as many people in the Thirteen Colonies geographically—for them to see this about 240 years later from coast to coast, 330 million people, the strongest military on the planet, the strongest economy on the planet, a place where people want to come—just as my mother and her parents came—to build opportunity for the next generation. That is incredibly special in the history of humankind. As I think my colleague from Florida was saying last night, we need to treat it with a little more care.

I am not just talking about the Senate. I am talking about our responsibility to provide oversight for this administration. I am talking about the importance for us to set an example for the children I saw last Friday at the naturalization ceremony, just as they are setting an example for us.

None of us is going to be here forever. We have a lot of work to do. There are a lot of people here and around the world who are counting on us to pull ourselves together and start making this place work.

I will finish by saying that I think in this world of social media, it is also critically important for us to remember the importance of edited content and the work that journalists do. There is not a class of school kids whom I don't impose at least that thought on, as they think about the research they are doing for their papers and the work we need to do as Senators.

I thank my colleagues for their indulgence. Thank you for allowing me to speak on this floor. It is a great privilege to be here, but it is a privilege we need to exercise in a way that actually reflects the values of this country and the expectations that the American people have for us to address their priorities.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

RUBIO

Mr. RUBIO. Mr. President, first, I do appreciate the words of my colleague from Colorado, and I thank him for them, and that topic deserves more discussion on the floor of the Senate.

One of the things that always gives me extraordinary pride to be an American and to be a Member of the Senate is the realization—as I sat here today and listened to my colleague from South Carolina, Senator SCOTT—that neither my ancestors nor his were participants in terms of structuring this Republic. Yet this Republic is so grand that it has plenty of room for people like me and him and so many others participating—including here, as one of only 100 Americans who are entrusted with the responsibility of representing our States and also upholding our Constitution in this body.

The Senator from Colorado is also right in talking about the role of the Senate not just in terms of passing laws but in conducting oversight irrespective of who occupies the White House. It is a difficult thing to do these days because everything in American politics is covered through the lens of politics and of elections. Almost immediately, whatever I say here on the floor today will be analyzed through the lens and construct of elections past and elections future. What is he trying to achieve or what are any of us trying to achieve politically? There is a place for that. I think we are not foolish enough to believe there is no politics in politics.

There is also something that is incredibly important, and that is the Constitution that every single one of us is sworn to uphold. It is a pledge I again took recently on these very steps a few feet away from where I stand here now a few weeks ago.

Part of that is, in fact, to oversee the foreign policy conduct of the United States. As many of us are aware, there has been recent discussion in some circles, including in my party, about a desire to achieve a better relationship with Vladimir Putin and with Russia. By the way, I share that goal. I think it would be good for the world if the

United States and Russia had a better relationship and, in particular, with the Russian people, with whom we have no quarrel. I also think we have a responsibility to understand what the obstacles are to better relations.

It is in that context that I come to the floor of the Senate today because I had a lot of people ask me over the last week, over the last few months: Why is it that you have such views about our relationships with Russia on the way forward?

I want to take a moment to discuss that in the broader context, with everything else that is happening here now. Even as we work through these nominations, the world continues to turn, and events around the world continue to have an impact on us here.

Let me begin by saying this. I don't think this is a fact that can be disputed. Vladimir Putin today has amassed more power in Moscow and Russia than any leader in Russia in about 60 years, if not longer. He used to maintain that power through a pretty straightforward deal that he had with both elites and the broader society.

Here is the deal he used to have with them. The deal was this: I will help you—especially the elites—make a lot of money and become very wealthy, and I will help society at-large by helping to grow our economy. In return, however, I need complete power and complete control of the government.

That was basically the arrangement he had up until just a few years ago when a combination of falling oil prices and economic decline forced them into a different direction. The new model that Vladimir Putin is now pursuing in Russia is one in which he is basically trying to gin up and rally public support, and he is largely doing it through a foreign policy which is aggressive and which is designed to create an impression among the Russian people that Russia has now been restored to great power status—a status equal or on par with that of the United States.

The first thing we have to understand is that much of what Vladimir Putin does is not in pursuit of an ideology, like the Soviet Union did. It is about domestic politics in Russia and about needing the Russian people to believe that he and his strength are essential to what Russia has. So much of it is about that.

What are the prongs of the strategy? The first is that he has sought to make their military modern and strong, and you see evidence of that in the fact that while Russia is going through crippling budget cuts as a result of a downturn in the global economy, oil prices falling, and sanctions against the Putin government, they are increasing defense spending. They are modernizing. They are adding capabilities. They are, for the first time, although in a limited way, beginning to conduct naval exercises and projection of power in places they hadn't been in for 25 years or longer.

The second is a crackdown in internal dissent. For that, I think the evidence is overwhelming. I know we have all heard recently about the case of Vladimir Kara-Murza, who is a Russian political opposition leader. He is a vocal critic of Vladimir Putin. He works at something called the Open Russia Foundation, an organization of activists who call for open elections, a free press, and civil rights reforms in Russia.

This is an interesting thing to talk about because there has been a lot of discussion on this floor a moment ago about the press and a lot of discussion about elections, of course, over the last year and longer. There has been a lot of discussion about civil rights. Think about this. This is what the Open Russia Foundation works for and on behalf of in Russia.

In America, when you believe that civil rights are being violated at this moment in our history or you think the election system isn't working the way it should or you are defending the press, as my colleagues have done here today in the right of a free press, you have a bad blog post written about you, someone may run against you for office, cable commentators will say nasty things about you from the other side, maybe somebody will stand up on the floor and criticize you for this or that.

Let me tell you what happens when you do that in Russia. They poison you. Kara-Murza is believed to have been poisoned in February 2017; after he experienced organ failure, and he is currently in the hospital—just this month. This comes 2 years after another suspected poisoning that nearly killed him in May 2015.

I want to take a moment to urge the administration to do everything in their power to ensure that he is receiving the medical care he needs and to help determine who was behind the latest apparent attempt against him.

If this was an isolated case, you would say: Well, maybe something else happened. There is an incredible number of critics of Vladimir Putin that wind up poisoned, dead, shot in the head in their hotel room, found in the street, and other things.

In other instances, just today we have this article from the Wall Street Journal about someone who was thinking about running against Vladimir Putin. Alexei Navalny was thinking about running for President.

So what happens in America when somebody thinks you are going to run for President? They do an opposition research file. They plant negative stories about you. They start bad-mouthing you on cable news. That is unpleasant, no doubt. He was found guilty by a kangaroo court of corruption, which, of course, according to Russian law, finds him and blocks him from running in next year's Presidential election.

Again, if this were an isolated case, you would say: Maybe this guy did