

47. Committees: continuing certain Federal Advisory Committees.

48. Revokes Obama order that created labor-management forums.

49. Promotes healthcare choice and competition across the United States.

50. Provides the Secretary of Defense additional authority to manage personnel requirements.

51. Resumes the United States Refugee Admissions Program with Enhanced Vetting Capabilities.

Mr. INHOFE. I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

NOMINATION OF JOHN ROOD

Ms. WARREN. Mr. President, I rise today to discuss the nomination of John Rood for the position of Under Secretary of Defense for Policy.

I am concerned about the influence of different industries on key positions in government. Today, the specific problem under discussion is the influence of the defense industry over the Pentagon. The defense industry in America is powerful and profitable. The big five defense contractors together represented more than \$100 billion in government contracts in 2016 alone. Think about that—5 corporations, \$100 billion in taxpayer money in 1 year.

The defense industry in America is powerful. President Trump has stocked the Pentagon with an unprecedented number of nominees from defense industry. These nominees will oversee all those government contracts. They will influence which companies get billions in taxpayer dollars and what exactly those companies have to do to collect their checks. Without strict ethics rules and oversight, these nominees have the power to significantly influence the profitability of their former employers—the same companies that may, once again, be the nominees' future employers after they have finished their government service.

Mr. Rood may be a decent man, but he is the latest example of this trend. He will come to the Defense Department directly from Lockheed Martin International, where he was most recently a senior vice president. Lockheed is the biggest of the big five defense contractors. In 2016, the U.S. Government awarded the company over \$40 billion in contracts. That was in 1 year.

According to his official bio submitted to the Senate Armed Services Committee, Mr. Rood's responsibilities included "developing and executing strategies to grow Lockheed Martin's international business" and "managing marketing and government relations activities" overseas. In other words, he was responsible for selling Lockheed's products to other countries, and it seems as though he was pretty good at it. Lockheed made over \$12 billion—or more than one-quarter of its net sales—from its international customers in 2016.

Here is why that matters. According to Lockheed's most recent annual statement, the international division

that Mr. Rood managed made about 66 percent of its sales to foreign customers through the Pentagon's Foreign Military Sales Program. This is a program that allows for the sale of U.S. defense products overseas.

In that same report, Lockheed acknowledges that its foreign sales are "highly sensitive" to changes in regulations and "affected" by U.S. foreign policy. In other words, government officials influence whether Lockheed's foreign military sales barely break even or whether sales shoot through the roof and bring in billions of dollars for Lockheed.

If confirmed as Under Secretary of Policy, Mr. Rood will play a significant role in setting U.S. defense policy and overseeing the regulation of foreign military sales of those very same products to those very same countries. If he is given this job with no constraints, Mr. Rood could implement policies that increase Lockheed's profitability, whether that is in the interest of the American people or not.

Chairman MCCAIN and I questioned Mr. Rood about this conflict of interest during his confirmation hearing. I asked him a simple yes-or-no question: Would he commit not to seek a waiver from his obligation to recuse himself from Lockheed Martin business, as required by his ethics agreement? That is all I asked.

He hemmed, he hawed, and finally made it clear that, well, no, he would not make that commitment.

So I asked him another simple question: Would he at least recuse himself from policy discussions about the sale of Lockheed Martin products through the Foreign Military Sales Program?

The answer was again clear. No, he would not make that commitment either.

I followed up with additional written questions. I asked: "Mr. Rood, will you commit not to seek or accept a waiver from your recusal obligations under your ethics agreement?"

Here is his response. "I am concerned that a commitment never to seek or accept a waiver could unnecessarily restrict my ability, if confirmed, to take an action that is important to U.S. national security and defense interests should a circumstance arise that is currently unforeseen."

In other words, no, he would not commit to abide by his own ethics agreement. Just think for a minute about what that means. President Trump has nominated an industry executive to one of our most senior national security positions, and that individual is unwilling to steer clear of the conflicts of interest involved in doing that job.

I think the standard here should be pretty simple. If a nominee cannot do the job to which he has been nominated without seeking a waiver from his ethical obligations, then he should not have that job.

Mr. Rood is not the only Trump nominee with this problem. The President has nominated many other execu-

tives from industry to the most senior positions at the Department of Defense. The Deputy Secretary of Defense was previously a senior vice president at Boeing. He now runs the Pentagon's budget process, including making the final call on which defense programs get funding and which do not.

The Secretary of the Army was a senior lobbyist for Raytheon and even ran Raytheon's political action committee. The Under Secretary of the Army, the No. 2 position, was also a vice president at Lockheed. The Deputy Chief Management Officer previously ran XCOR Aerospace, now a bankrupt developer of rocket engines and space launch systems. The Under Secretary of Defense for Acquisition, Technology, and Logistics spent her career at Textron, an aerospace and defense contractor.

I could go on with this list. I don't doubt that many of these individuals are service-minded, and I know that many have also served honorably in government, both in and out of uniform. I also believe that a strong partnership between government and industry is important to our national defense.

Industry experience, in and of itself, does not disqualify someone from public service, but there must be balance. When too many top government jobs are filled by industry insiders, we risk corporate capture of the whole policy making process.

The overrepresentation of defense industry officials at the highest levels of the Department of Defense has real consequences. It suggests to the American people that only one viewpoint or one experience will dominate our policy making decisions. No outsiders, no one with a competing point of view need apply, and the revolving door between industry and government raises questions about who our government serves.

No taxpayer should have to wonder whether the top policy makers at the Pentagon are pushing defense products and foreign military sales for any reason other than the protection of the United States of America. No American should have to wonder whether the Defense Department is acting to protect the national interests of our Nation or the financial interests of the five giant defense contractors. No man or woman in uniform should have to wonder whether their civilian leaders are putting the private financial interests of themselves and their friends ahead of the safety and the interests of our military servicemembers.

The American people have a right to know who their government works for and that the senior leadership of the Department of Defense is putting our national security first. Everyone has a right to know that. The readiness and safety of our men and women in uniform is too important for any of us to have to ask those questions.

As a member of the Senate Armed Services Committee, I will not vote to confirm any nominee from industry

who does not agree to fully recuse himself or herself from matters involving their former employer for the duration required by their ethics agreement, without waiver and without exception. I think we owe our soldiers, sailors, airmen, and marines at least that much.

Because he will not make the commitment to abide by his own ethics agreement without waiver or exception, I will be voting against Mr. Rood as Under Secretary of Defense, and I urge other Senators to do the same.

I yield back.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LEE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GARDNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

HONORING DOUGLAS COUNTY SHERIFF'S DEPUTY ZACKARI PARRISH

Mr. GARDNER. Mr. President, I rise to speak about a horrible tragedy that took place in the early morning hours of December 31 in Douglas County, CO, when most Coloradans were waking up and preparing for a celebration that evening to bring in the new year. Hours later, a gunman would open fire on Douglas County sheriff's deputies in what has been described by law enforcement as an ambush-style attack.

The gunman injured two citizens as well as Sheriff's Deputies Michael Doyle, Jeff Pelle, Taylor Davis, and Castle Rock Police Department Officer Thomas O'Donnell. A fifth officer, Douglas County Sheriff's Deputy Zackari Parrish, heroically gave his life during this ambush in an attempt to save the lives of others.

Deputy Parrish was 29 years old and is survived by his wife, Gracie, and their two young daughters.

Zack's lifelong dream was to become a police officer. He attended Arapahoe Community College Law Enforcement Academy part time while he worked full time at a bank so he could make these dreams come true. Following graduation, Zack served for 2 years as an officer at the Castle Rock Police Department and spent the last 7 months as a Douglas County sheriff's deputy. His selfless nature and devotion to his family and friends was a testament to his tireless drive to protect his community. He was what every officer strives to be—dedicated to the job, persistent, and detail oriented.

At a vigil to honor Zack earlier this week, his fellow deputies shared Zack's "knack for finding things other cops missed." They spoke of "how he always wanted to chase the bad guys" and how, even when it was time to go home, Zack would "stay late to make one more check on patrol." His family and friends spoke of how Zack was

known for his "bear-sized love" and even more so for his bear-sized hugs.

These are the qualities of those who righteously wear the blue uniform. These are the qualities that keep the rest of us safe and sound. These are the qualities of a hero. Zack, like all law enforcement officers, went to work each and every day being prepared to walk that thin blue line.

Colleagues at the vigil spoke about how Zack was not only dedicated to the difficult parts of the job but also to lifting the spirits of his fellow officers. According to his fellow deputies, Zack was known as the guy who would "hunt for the best Christmas lights." It is that kind of passion, good nature, and of course love for his community that Zack will be remembered for.

As we saw on New Year's Eve, while the rest of us spent time with our families and friends, our brave law enforcement officers were protecting our communities. Their sacrifice is why we were able to celebrate with our loved ones.

We owe so much to Zack and the law enforcement officers across Colorado and across the country for their service. When a tragic event like this unfolds, I am often reminded of the words of LTC Dave Grossman, who wrote that American law enforcement is the loyal and brave sheep dog that is always standing watch for the wolf that lurks in the dark.

Regardless of their personal safety, our law enforcement officers run toward the danger. They are always there to help others serve our communities, and often through the worst of times, they provide hope and safety to our families, including mine, including yours.

I continue to pray—and let all of us continue to pray—for the other four officers and two citizens who were injured in the attack. We must continue to honor Zack's memory and support his brothers in blue as they continue his work and support his dearly loved family as they begin the new year in a way they never could have imagined. We honor his legacy and those who serve.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant bill clerk read the nomination of John C. Rood, of Arizona, to be Under Secretary of Defense for Policy.

The PRESIDING OFFICER. There is 30 minutes equally divided for debate on this nomination.

The Senator from Colorado.

Mr. GARDNER. Mr. President, I ask unanimous consent that all time be yielded back.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

Mr. GARDNER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from North Carolina (Mr. BURR), the Senator from Utah (Mr. HATCH), the Senator from Nevada (Mr. HELLER), the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. MORAN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Georgia (Mr. PERDUE), the Senator from Idaho (Mr. RISCH), the Senator from Florida (Mr. RUBIO), and the Senator from South Carolina (Mr. SCOTT).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea," the Senator from Idaho (Mr. RISCH) would have voted "yea," and the Senator from Florida (Mr. RUBIO) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY) is necessarily absent.

The PRESIDING OFFICER (Mrs. ERNST). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 81, nays 7, as follows:

[Rollcall Vote No. 1 Ex.]

YEAS—81

Baldwin	Ernst	Murphy
Barrasso	Feinstein	Murray
Bennet	Fischer	Nelson
Blumenthal	Flake	Paul
Blunt	Gardner	Peters
Boozman	Graham	Portman
Brown	Grassley	Reed
Cantwell	Hassan	Roberts
Capito	Heinrich	Rounds
Cardin	Heitkamp	Sasse
Carper	Hirono	Schatz
Casey	Hoeven	Schumer
Cassidy	Inhofe	Shaheen
Cochran	Isakson	Shelby
Collins	Johnson	Smith
Coons	Jones	Stabenow
Corker	Kaine	Sullivan
Cornyn	Kennedy	Tester
Cortez Masto	King	Thune
Cotton	Klobuchar	Tillis
Crapo	Lankford	Toomey
Cruz	Leahy	Udall
Daines	Lee	Van Hollen
Donnelly	Manchin	Warner
Duckworth	McCaskill	Whitehouse
Durbin	McConnell	Wicker
Enzi	Menendez	Young

NAYS—7

Booker	Markey	Wyden
Gillibrand	Sanders	
Harris	Warren	