

country is a disgrace. What matters is the rule of law. In this country, no man is above the law, not even the President. Mr. President, your comments were the disgrace.

If the President is thinking of using this raid to fire Special Counsel Mueller or otherwise interfere with the chain of command in the Russia probe, we have one simple message for him: Don't even think about it.

Special Counsel Mueller has uncovered a deep and detailed pattern of Russian interference in our elections. It has led to several indictments and guilty pleas. It has also led the Trump administration itself to level sanctions against Russian individuals for meddling in our elections. That is proof positive that Mueller's investigation is not a so-called witch hunt.

If the President's own administration has leveled sanctions against Russian individuals for meddling in our elections, how can the President say it is a witch hunt? It is being pursued by his own administration, independent of the Mueller investigation. The investigation by Special Counsel Mueller is critical to the health of our democracy and the security of future elections. It must—it must—be allowed to continue.

The President seems to have a view that the Department of Justice's sole purpose is to protect the President and go after his enemies. I emphatically state to the President, that is not the role of the Department of Justice. Their role is to enforce the law and go after anyone who breaks it. That is their role, and it is not subject to the President's political interests in any way.

President Trump should not have any contact—any contact—with the new U.S. attorney in the Southern District, with his office, or the Department of Justice officials overseeing an investigation of Mr. Cohen. Any attempted contact by the President or the White House should be reported to the Department of Justice immediately.

One final point. When President Trump implies that the Mueller investigation is an assault on our country and our values, he is not only dead wrong, he is wrong in a very dangerous way. Special Counsel Mueller, the FBI, Federal prosecutors, and U.S. attorneys are following the due process of our legal system. Calling that an attack on our country undermines the rule of law—a bedrock principle of this great Nation for centuries, the reason, above all, the rest of the world looks up to these great United States of America.

The only person engaging in an attack on American values, what we all stand for—the rule of law—is, unfortunately, President Trump. It needs to stop. It is gnawing at the core of America.

It is difficult to know when you are living through a historic time in this country. Our Nation has prevailed through many dark times. We all hope that, in the sweep of history, our cur-

rent moment is not one of peril, but we have witnessed a sustained attack by the President of the United States on the rule of law in this country, and we may be getting to that point.

We have seen that any institution with the power to check the President's power—the Federal Judiciary, the Department of Justice, the FBI, the Congress, the press—suffers his disdain and derision. If we fail to defend these institutions, which represent the rule of law, the Constitution, and the balance of power in our country the Founding Fathers so brilliantly enshrined, then we are letting our grand democracy diminish.

I beseech my colleagues on both sides of the aisle to stand up and say what the President is doing is wrong. Make it clear that firing Mueller or interfering in his investigation crosses a redline and is a threat to our constitutional order. Let us also be clear that the President does not have the authority to order the special counsel's firing without cause.

Finally, let us take steps to protect the special counsel from political interference. We have several bipartisan bills designed to do just that. Majority Leader MCCONNELL should bring them to the floor and let us debate them very soon.

For months, Republicans have said that legislation to protect the special counsel is not needed because they have been assured by nameless people that the President will not fire the special counsel. That assurance has been shaken by the President's comments last night. By his own words, it is clear the President may—may—be considering firing the special counsel. This Congress must respond forcefully, and on a bipartisan basis, by reaffirming our belief that the President cannot fire the special counsel without cause and by passing legislation to ensure that any attempts to remove Robert Mueller will be unsuccessful.

We should not abide the President's attempted assault on the rule of law in America. The eyes of history are upon us.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

ONLINE PRIVACY

Mr. CORNYN. Mr. President, today we have a joint Commerce and Judiciary Committee hearing on online privacy and the abuse of data obtained by social media platforms. Ordinarily, I wouldn't come to the Senate floor to talk about an individual legislative hearing, but this is no run-of-the-mill event. The CEO of Facebook will be testifying, and I believe his company and other parties have some important explaining to do.

One question is what Facebook's priorities are and whether they are what they should be. Facebook, of course, is a publicly traded company, and it has a fiduciary duty to its shareholders that it shares in common with every other shareholder-owned enterprise. Its busi-

ness model is unique. It collects information on billions of people and uses that data to help drive its profits. One wonders whether, and at what point, that profit motive has come to be at odds with protecting the privacy of individual users. To me, that is one of the fundamental questions Mr. Zuckerberg is going to have to answer today.

From testimony released yesterday, we know Facebook will admit it made mistakes; that it didn't take a broad enough view of its responsibility and prevent its tools from being used in ways that it says it did not intend. That act of contrition is one we all welcome, of course, but it will not matter much without additional action, some of which might be even foundational to Facebook's entire business model.

Those changes, we are told, can take some time. Meanwhile, Americans will continue to wonder about their privacy, about who is acquiring data about their political opinions, their personal taste, and their preferences without their informed consent.

How much have any of us read of the terms of service for the social media platforms that we use? They are written by lawyers for legal purposes, which is basically to prevent any lawsuits from being successfully filed against the company. Yet, in terms of informed consent, which is what we ought to be focused on here, how much do consumers really understand about how the data is used that they turn over to these social media platforms?

Mr. Zuckerberg has an opportunity today to explain whether consumers are really being protected in any meaningful way. It is good that Facebook has, in recent months, shut down accounts that have had links to the Russian Government—accounts that were used to meddle in our last election. That is surely one actor we know who has used Facebook in improper ways, but it never should have reached that point. The company should have spotted this attempt of foreign influence much earlier and contained its spread.

In our moving forward, now is the time to demand a comprehensive accounting of internal monitoring efforts as well as the full extent of the infiltration and manipulation of that and other social media platforms in the past, not just by Russia but by other foreign actors, including rogue actors.

In addition to its response to the Russia allegations, Facebook, we have been told, has limited which online apps can literally vacuum up information from users' profiles. Once again, this announcement only tells us so much. We need to understand which apps are still being allowed to mine that data and under what conditions.

We have all heard about one egregious case of this happening—a political consulting firm, using Facebook, that improperly accessed the private data of some 87 million users. This data was used to assemble a psychological

profile to assess how people might respond to political advertising and how they might vote in an election. When people access Facebook to trade pictures with families and friends or to communicate with family and talk about their most recent vacations, I doubt they realize that data could be acquired by a third party, like Cambridge Analytica, and that it can not only literally use that information but all of the personal data of their friends and relatives in order to target political messaging for its use in an election.

Facebook has historically been a platform for all ideas, as they say, but now the company realizes that because of its business model, it has more responsibilities. It is not just a neutral platform. It must defend against false information, foreign government subterfuge, and other destructive conduct, such as child pornography and human trafficking. We know, as a result of the most recent legislation we passed relative to human trafficking, that we have actually expanded the responsibilities of social media platforms in the human trafficking arena because of the threat it poses to so many innocent people.

The basic questions are whether Facebook is responsible for misinformation in its use of its platform, for outright falsehoods, or attempts by foreign governments to meddle in our elections by sowing discord and disinformation. There are also some important questions about whether Facebook is inconsistently using the data that it collects in a way that obviously benefits itself financially but is not sharing it on an equal basis with law enforcement or intelligence when the intelligence community needs that information to solve crimes or to keep the country safe.

A lot of ideas have been tossed around about how to respond to these difficult questions. Perhaps we should treat social media platforms as information fiduciaries and impose legal obligations on them, as we do with lawyers and doctors, who are privy to some of our most personal, private information.

To me, one of the most important questions is who owns that data that we share on social media platforms and whether the data that is shared is shared with one's fully informed consent so that consumers are protected against consequences they had no way of anticipating and that are damaging to their personal privacy.

Other ideas involve increased transparency, partnering with the Federal Trade Commission, or passing new data privacy laws. They involve giving consumers more control and requiring companies to disclose in plain English and in nontechnical ways what information they collect before users are presumed to have given their consent. I look forward to exploring these and other related ideas at the hearing later today.

Facebook and other social media platforms need to come clean with the American people. An apology, while necessary and welcome, is not enough. These companies must back up their words with actions that better safeguard the American consumer and their right to privacy. Technology can be a good thing, but it can also be abused in ways that we need to reckon with. This afternoon's hearing will be the beginning of those efforts in a very substantial and comprehensive way.

Mr. President, on a separate matter, we have a lot on our plate here in the Senate apart from conducting the hearing that I just mentioned. One of our items on our "to do" list is to continue to confirm the President's nominees, who have faced an unprecedented level of obstruction from the minority. The majority leader, Senator McConnell, has been forced to file cloture—a formal piece of paper—on six important nominees, many of whom will be confirmed with strong bipartisan support, but because our colleagues on the other side refuse to consent to the expedited consideration of these noncontroversial nominees, we will have to literally burn up a week of the Senate's time during which we could be doing other important work.

NOMINATION OF GINA HASPEL

Mr. President, in addition to the six nominees whom we will confirm this week, I want to talk about two in particular, two outstanding individuals who have been nominated by the President to some of the most important positions in the Federal Government. These posts are the Director of the Central Intelligence Agency and the Secretary of State.

Gina Haspel has been nominated for the first position. She joined the CIA in 1985, which was during the final years of the Cold War. She is a career intelligence officer and has served for more than 30 years overseas, around the world, and in Washington. She has held various leadership roles at the Central Intelligence Agency, including that of Deputy Director of the National clandestine Service. You can imagine this is some of the most sensitive and important work that is being done in the intelligence community, and she has been right in the middle of it. She has also worked in the Counterterrorism Center, where her first day of work was on September 11, 2001—that fateful day when the Twin Towers fell and the Pentagon was attacked.

Throughout her career, Ms. Haspel has held some of the most demanding and least publicly acknowledged assignments in the far-off reaches of the globe—in places like Africa and the Middle East. She did not always seek out these difficult roles; she took them because she saw them as her duty. That is the challenge, honestly, when it comes to somebody who has had an incredible career like Gina Haspel's, because so much of what she has done, she has done in a classified setting. We cannot really talk about the details

without jeopardizing the sources and methods of our intelligence-gathering or without revealing information which could undermine our national security.

There have already been some attacks on Ms. Haspel, which, I think, are, honestly, a caricature of her 30-plus years of service to the country. We ought to applaud, not denigrate, people who are willing to sacrifice their safety, their comfort, and their security to make us safer and more secure as the American people. Unfortunately, that doesn't always happen.

She has received numerous awards which lend credence to her reputation and illustrate that other accomplished professionals hold her in high regard. These awards include the Presidential Rank Award, which is the most prestigious award in the Federal civil service. She has also received the Intelligence Medal of Merit, among others.

Her integrity and professionalism are beyond question. A bipartisan group of intelligence officials who has served in previous administrations has testified to her qualifications and her fitness for this particular position as the Director of the CIA. For example, former Director of National Intelligence James Clapper, who served for 50 years in the intelligence community under Republican Presidents and Democratic Presidents, said he thinks the world of Ms. Haspel. She is capable, smart, experienced, and well respected by Agency rank-and-file and is a great person, he said.

Leon Panetta, who served as the Chief of Staff to Bill Clinton when he was the President and who later served as the CIA Director and the Secretary of Defense under President Obama, said that he is glad we will have the first woman as the head of the CIA and that Gina knows the CIA inside and out.

Former CIA Director John Brennan, who also worked under President Obama, has cited her ability to "provide unvarnished, apolitical, objective intelligence to [President] Trump and to others."

Just yesterday, 53 former senior U.S. officials sent the Senate Select Committee on Intelligence a letter in which they expressed their wholehearted support for Ms. Haspel. This group includes former Secretaries of State Henry Kissinger and George Shultz and former Attorney General Michael Mukasey, among others.

As I said, we know that some partisans have already sought to twist and distort Ms. Haspel's record and the decisions that were made in real time by accomplished professionals at a time when our country was under attack.

In Ms. Haspel's case, there have been questions about interrogation tactics that had been used in the early days of the War on Terror following 9/11. These questions are really pretty easily answered. The program complained of was investigated twice by career lawyers in the Justice Department—one under President Bush and another