

being gracious when he had to miss dinner or an important event because he was pulled away for work.

Tyler spent his entire career on Capitol Hill in my office, and for that, I would like to express my gratefulness to him. While I am saddened that his time working for me has concluded, I am thankful to have had the opportunity to work with him and beside him over the last 14 years.

He kept good stats on the work that he did. It is quite impressive: 4,091 meetings; 2,053 individuals, families, and organizations he has assisted with casework; 761 reports or memos drafted; 105 counties visited—that is every county in Kansas; 11 years of working to pass legislation to reform the post office; 3 new USDA programs developed as a direct result of the 2017 fires in Clark County.

In the next phase of his career, Tyler will still be helping Kansans as an executive officer with the Wichita Area Builders Association in supporting homebuilders, their customers, and the regional industry in South Central Kansas.

Tyler, with your invaluable experience, joyful attitude, and your constant drive to improve not only yourself but those around you—and I include me as being improved by your presence in my personal and professional life—you are and will be dearly missed. I wish you all the best in your future endeavors, and I look forward to hearing of your continued service to our State and its people.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I want to extend my thanks to my colleague from Kansas for sharing that wonderful reflection on Tyler's exceptional work for the people of Kansas and for the people of the United States. We are blessed to have wonderful people to work with in this job.

NOMINATION OF PETER HEGSETH

Mr. President, I rise right now and today for the purpose of joining my colleagues on both sides of the aisle in opposing Mr. Hegseth's nomination as Secretary of Defense.

I appreciate Mr. Hegseth's military service, indeed, when evaluating his nomination—his service was what I appreciated most about his background—but unfortunately it is clear that Mr. Hegseth does not have the skills, experience, record, or character to lead a Department that has a budget of more than \$800 billion, is the largest employer of men and women in our country, and is tasked with safeguarding our Nation's security and freedom.

We take pride as Americans in the fact that our military is the very best. The standard of excellence and professionalism set by the men and women of our Armed Forces is central to our military's success and to our country's success. This high standard of competency and character, of both unmatched ability and uncommon virtue

is why America's Armed Forces command the respect of our friends, the fear of our foes, and the abiding faith of freedom-loving people everywhere.

America boasts the greatest fighting force in the history of the world. The heroes who serve in our Armed Forces deserve a leader who is worthy of that greatness, and Mr. Hegseth is plainly not up to that task.

Like many of my colleagues, I have concerns regarding Mr. Hegseth's character—the documented accusations about his excessive and uncontrolled drinking, his sexual harassment, sexual assault, and now accusations of being abusive to his ex-wife.

It is ironic that Mr. Hegseth and some of my colleagues have dismissed these concerns as partisan because, sadly, if this weren't a partisan confirmation process—for example, if my Republican colleagues were considering hiring Mr. Hegseth to join their staffs—we would all agree that these accusations would immediately be disqualifying.

Mr. Hegseth dismisses these multiple accusations from disparate people as a “coordinated smear campaign.” I don't think that the concerns of his former colleagues, friends, and family should be quickly dismissed as smears. Many other of the nominees who are being considered by this body aren't facing similar accusations even though there are people who vehemently oppose their confirmations, which begs the question of why Mr. Hegseth continues to face multiple similar accusations from different sources.

But, for a moment, let's do as Mr. Hegseth asks and put aside these accusations. Let us say for a moment that those who occupy the highest positions in public life shouldn't be above reproach, although indeed they should. Let us say that our servicemembers do not deserve a leader whose strength of character matches their own, although I believe they do. And let us say for a moment that character does not count, although indeed it surely always does. Let us, in short, ignore everything that Mr. Hegseth demanded that we ignore in his hearing. Even if we did that, I would submit that based on experience alone, Mr. Hegseth is mainly unqualified for the job as Secretary of Defense.

The Secretary of Defense is responsible for a budget of more than \$800 billion and is responsible for 3.4 million employees who serve on every continent across the globe.

To lead the Defense Department is a daunting task that requires leadership and managerial skills of the highest order. However, Mr. Hegseth's managerial experience begins and ends with his leadership at two small nonprofits, and his tenure at both resulted in concerns about his financial mismanagement at their helm. If Mr. Hegseth could not and did not effectively manage organizations with around 100 employees, surely no one can actually believe that he is ready to manage one of 3.4 million people.

We live in a dangerous and uncertain world. Iran and its proxies continue to menace our forces in the Middle East. Vladimir Putin is on the march in Europe. North Korea persists in testing our allies and testing its missiles. China—China—looks with a conqueror's gaze toward Taiwan.

To my Republican colleagues, I understand that you wish to support President Trump, but Presidents are sometimes wrong. We are talking about our Nation's vital security. We are considering the confirmation of the person who will be entrusted to marshal our resources as the enemy approaches, attacks our cyber defenses, or invades an ally. It matters—it matters—that we have the right person in this job. It matters that we get this one right.

Surely, there is someone in this great country of brilliant and brave people of all political stripes who is more capable and who has the experience and character necessary to forge under pressure the judgment that will keep us safe and free.

This is America. We have the finest fighting force ever assembled. We have more strength and power than any fighting force has had in human history. In the past, when we have looked for leaders of our Armed Forces, we have searched for our country's best and brightest, the most gifted minds of America's boardrooms, the brightest stars to come out of West Point, the most revered public servants to serve in these Halls. We did not need then nor do we need now to turn to the green rooms of cable TV networks for the Secretary of Defense.

Tomorrow marks the 80th anniversary of the Battle of the Bulge—a campaign in which my father served. In freezing temperatures, outnumbered and often undersupplied, our forces held the line against Hitler's onslaught. Our soldiers won because they were brave, they won because they were skilled, and they won because they were well led. Surely, the Armed Forces of the United States of America—the victors of the Ardennes, of Gettysburg, of Midway, and of 1,000 places in between and since—surely, they need a leader who they can have full faith in. Surely, America's best deserves the best.

Government's most important task is to keep America safe, secure, and free. It is a complex, fast-moving, and evolving challenge. It is a job that at times presents its occupant—the Secretary of Defense—no good or easy options. It is, in short, a deadly serious job where both success and failure have enormous ramifications. It is a job that depends on experience and character—the prerequisites for good judgment like no other.

No Senator should vote for someone who they can only hope will learn on the job—not for the Secretary of Defense. No Senator should vote for a nominee in the hope that he will display more personal discipline once he

gets the job. There are strong, experienced, and able members of the President's party whose views align with his who could be exceptional leaders of the Department of Defense. Mr. Hegseth is not one of them. I urge my colleagues to reject this nominee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I come to the floor to join many of my colleagues in expressing grave alarm over the choice of Pete Hegseth to run the Department of Defense.

It is not hyperbole to say that we have never seen a candidate—at least in modern times—to lead our soldiers and our troops who is as dangerously and woefully unqualified as Pete Hegseth.

I think everybody understands his primary qualification. He was on TV during the weekends, when Donald Trump would watch FOX News—period, stop—because as we have learned more about Pete Hegseth—his history of sexual misconduct, his history of public drunkenness, his history of financial mismanagement—it appears as if there must be thousands of other people who were easily more qualified.

But I want to talk today about his qualifications, his views that he has made known on television, that he has expressed to the committee about how he would do the job.

I think his history of personal misconduct, in and of itself, is disqualifying. It is just an embarrassment to the country, at a moment when we want to win more friends and allies. It is just the wrong match for a Department that oversees the moral and professional development of young men and women to have somebody like that, with that kind of history, leading the Agency.

But it is also important on the views that he has expressed on how he would run the Department of Defense, because I fear he will run it into the ground.

First, let me talk about the politicization of the Department of Defense. Listen, I don't like the fact that all across government, the design seems to be that if you don't agree with President Trump's political ideas, that if you don't pledge loyalty to President Trump, you don't have any future in the Federal Government. That is not how we have ever run the Federal Government.

Yes, we have always had a class of political appointees. Yes, you want the people at the very top of each Department to be broadly aligned with your view of the world. But this administration—most recently, by reclassifying thousands of employees in the Federal Government to make them political, to make them immediately fireable—is a fundamental rewrite of the way that we traditionally view government.

We want civil servants, people whose oath, whose loyalty, is to the American public, is to the Constitution, is to the

law, not simply to a political party or to a political ideology.

Kash Patel has made it very clear. He doesn't want anybody in the Department of Justice who doesn't line up with his particular political view of the world. And Pete Hegseth seems to be of the same mind.

He seems to be proposing creating a Department of Defense that abandons its core values and its traditional review processes in favor of a new culture of paranoia and mistrust, amidst unexplained firings for even being perceived as having the wrong political leanings.

Now, this didn't happen inside the Department of Defense, but it is the highest profile firing in the national security chain of command. On Monday—on Trump's first day in office—he fired the head of the Coast Guard, Commandant Linda Fagan, without explanation beyond anonymous statements to the press about vague concerns about Fagan's approach to programs aimed at improving diversity or opportunity within the Coast Guard.

Many of us have had the opportunity to work with Admiral Fagan. She is a straight shooter. She improved morale at the Coast Guard. She has vigorously defended our shores. She has helped increase readiness. There is nothing political—there was nothing political—about Linda Fagan in her career of service to this country to become the first woman to lead the Coast Guard.

Yet she was fired on Monday without explanation, except for these anonymously sourced, vague concerns about her focus on trying to bring more women into the Coast Guard and more cadets of color. It seems to serve a very clear end: to make everybody wonder what that line is.

Nobody knows the line that Linda Fagan crossed, but now that it is blurred, everybody is going to hunker down, buckle down, do nothing at all that may arise the suspicions of the White House.

It seems to me that that is exactly what is going to happen at the Department of Defense. He has promised to fire top-end military leaders who are engaged in his nebulous war on woke.

So if you care about making sure that you have got troops from different backgrounds and different parts of the country, maybe that is a war on woke. If you promote a woman, maybe that is a war on woke. If you care about making sure that your troops don't engage in unethical conduct, maybe that is a war on woke. If you contract with a local business that may not be aligned with Donald Trump, maybe that is part of the war on woke.

We have no idea. And so what will happen inside the Department of Defense is just a constant sense of paranoia, a constant looking over your shoulder, a grinding to a halt of business as normal because nobody knows what is a fireable offense and what isn't.

How do I stay on the good side of Pete Hegseth? What gets me on the bad side?

Second, I want to talk about his views on women in combat. He wrote this in his book:

Dads push us to take risks. Moms put the training wheels on our bikes. We need moms. But not in the military, especially in combat units.

What an insulting thing to say. What a disgusting thing to believe.

"Dads push us to take risks. Moms put the training wheels on our bikes." My mom taught me to take risks. My dad told me to take risks too. But is there a single U.S. Senator here who believes that our mothers, the women in our lives, aren't risk takers, that they didn't push us to be better?

Pete Hegseth believes—he just believes this—that women hold us back, that women hold men back, that women hold their sons back. And it just doesn't matter that he has walked back these statements. Magically, he had a conversion on the issue of women in the military. Magically, he started saying less offensive things about women right after he was nominated to be Secretary of Defense.

Nobody believes this conversion. This is a conversion for political reasons only. It does not mask the fact that this is what Pete Hegseth believes, that he believes that women are inferior to men—and again, not just that they shouldn't engage in combat; he believes that they are morally inferior, that they have qualities that men don't have.

Many women—most women that I know—who have served bravely and effectively in combat—some serving with us on Capitol Hill—have taken grave offense to Pete Hegseth's unfounded denigration of their service. Many have pointed out the real impacts his ideas will have surrounding women in combat and what those comments could mean for our more general readiness. Why? Because there are 360,000 women serving in the U.S. military today in a variety of capacities. They are essential to keeping this Nation safe. Now every single one of them knows that the man taking over the Department of Defense doesn't think they are worthy to serve and that their prospects for advancement upon his elevation to the Department of Defense are compromised.

Their ability to get fair treatment inside the Department of Defense has been compromised, and it won't shock anybody if we see many of those women leave the service and if we see many fewer women sign up to protect this country. That would come at an enormous cost—an enormous cost—to the security of this Nation.

Third, I want to talk about a topic that I hope this body finds a way to have a nonpolitical, nonpartisan discussion on, and that is the growing problem of extremism in our military.

Now, I think every large organization has to tackle this issue. Anytime you have a big, large organization, you are going to have individuals amongst your ranks that are affiliated with extremists and dangerous causes, so I don't

think this problem is exclusive to the U.S. military.

But people who have military experience are about 6 percent, 5 percent of the overall population. They comprise 15 percent of the people who were pardoned by Donald Trump just 3 days ago—a share three times greater than that of the general population.

We have watched as a disproportionate share of individuals who have engaged in mass shootings have had a military background. Now, a lot of that is connected to post-traumatic stress disorder and our failure to get services to those individuals. That is on us, and we should have that conversation as well.

But Pete Hegseth has said that this issue of whether the Oath Keepers and the Proud Boys have influence inside the military—and there are plenty of reports that there are lots of active channels of communication and recruitment between these rightwing groups and the military—he says that problem is fake. It is fake.

Now, I don't know the extent of this problem, but I know it is something we should talk about, and I am very, very worried to have a Secretary of Defense who doesn't believe it is a problem even worth mentioning.

Lastly, I want to talk about what I maybe think is the most dangerous part of Pete Hegseth's views on the military, and that is his history of support for war criminals, his low regard for the Code of Military Justice, and his disbelief—his nonbelief in the concept of international law and the laws of war.

It is pretty shocking that we are even having a debate here about whether the U.S. military should engage in torture or adhere to the Geneva Conventions. For those of us that served with John McCain, I cannot believe what he would think about the decision of a Republican President to appoint a Secretary of Defense who does not believe in the Geneva Conventions and the basic laws of war and claims that it is weak or unmanly to believe that there should be some common set of rules about how we engage in war.

I do think it is legitimate to have a conversation about the rules of engagement. We should always be willing to revisit the rules of engagement. It is entirely possible—plausible even—that the rules that we apply to our soldiers in very difficult, complicated engagements, where they often don't know who is friend or foe, are outdated. We should be willing to have that conversation. But that is not what Pete Hegseth is interested in. He is interested in obliterating the rules of engagement. He doesn't want any constraints on our soldiers.

While it is true that many of the enemies that we fight don't follow any rules at all, it is not good for U.S. security more broadly to give up on international law, the rules of war, and the rules of engagement and just accept a race to the bottom.

At the hearing, Ranking Member REED asked Pete Hegseth about three instances of clemency granted by President Trump in 2019—grants of clemency that the nominee supports.

One soldier, a lieutenant in the Army, had been serving for 19 years in prison and was pardoned after being convicted of two counts of second-degree murder for ordering a soldier to fire on unarmed Afghan motorcyclists in 2012. Another was pardoned after being charged with murder of an Afghan in 2010. Another pardon was for an individual who posed and took photos with a corpse during a 2017 deployment to Iraq.

This problem is minuscule inside our Armed Forces. It really is. Mr. President, 99.99 percent of our soldiers, men and women who fight for us, are never, ever engaged in these kinds of horrific crimes. The reason for that is, A, because we have good, moral people fighting for us, and B, because we have a code of conduct, and that deterrent helps to make sure that the instances of misconduct are very, very small—are infinitesimal. If all of a sudden that code of conduct is obliterated, then it becomes harder for our military leadership to make sure that when we are in war, we are following those rules of engagement.

Remember, our power in the world is our tanks and our soldiers, our airplanes and our aircraft carriers, but it has always been our moral authority. We have never been perfect. We have never had leadership that was perfect. But to voluntarily give up on our belief that U.S. troops are held to a higher standard than our enemies—that shrinks our power in the world that makes enemies run away from us.

In a world today where there is just a dissent from truth, right—that is what Putin wants. Putin wants to obliterate objectivism in this world, to believe that there is no right or wrong, that everything is just an individual's viewpoint. When we retreat from those long-held and consensus-developed ideas about, for instance, not torturing our enemies during times of war, it provides a lift and assist to people like Putin who are trying to make us believe that there is no such thing as right or wrong in the world, that it is all just different shades of gray.

So I understand that much of the debate here will be about this litany of really ugly personal misconduct, and I think that is reason alone to say: You know what, find somebody else.

It is not as if Pete Hegseth is the only person qualified to run the Department of Defense. There are other people who are loyal to Donald Trump, who are conservative, maybe even believe in this campaign against wokeism, but don't have the history of personal misconduct.

But I also think that these questions about women in combat, about the political campaigns that will be run inside the Department that will breed a sense of paranoia, about taking seri-

ously small but growing, real threats to us, like extremism in the military, and then this bigger question of making sure we have fealty to the laws of war and prohibitions against torture—I think all of those really concerning views of this nominee, even if the misconduct didn't exist, would be enough for us to say: Find somebody else. Find somebody else who is just going to do the job instead of trying to bring these political agendas, whether it is misogyny or anti-wokeism or anti-multilateralism, into a job that really should be pretty simple. Lead our troops. Protect the Nation. Lift up America's standing in the world.

I know the cake may be baked at this point, but I just want to make one more plea to my Republican colleagues to reconsider their decision to confirm to lead the Department of Defense somebody who seems just hellbent mostly on pursuing a political—not military—agenda that I truly believe is certain to weaken our Armed Forces and threaten our national security.

I yield the floor.

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Oregon.

Mr. WYDEN. Madam President, a number of serious and concerning issues were raised in Pete Hegseth's nomination hearing last week; and in the Hegseth nomination hearing last week, there were a number of important issues. And I would like to speak to one that is central to both America's national security and American values: the principle that every American has the right to know when their government believes that it is allowed to kill them.

Now I don't believe this ought to be a controversial matter. My constituents don't believe it should be a controversial matter. The Bill of Rights says: No one shall be deprived of life . . . without due process of law.

Government officials have, in my view, a basic obligation to explain any rules that allow them to ever kill an American citizen. And on this, the nominee to serve as Defense Secretary has simply flunked the test. His refusal to answer basic questions before the Senate Committee on Armed Services ought to trouble every single American.

Now, I want to focus on that fundamental question concerning the government's power to kill Americans and why Americans have to keep fighting—and Senators—for transparency.

Over a decade ago, the Obama administration took the position that their analysis of the President's legal authority to deliberately kill Americans was secret, and they refused to share that. As I said at the time, I believe that position was just unacceptable.

And I told the Obama administration: If an American takes up arms against the United States as part of a foreign army or a terrorist group, there are, indeed, circumstances where it is legal to use lethal force against that American, but the limits and the

boundaries of the President's authority to kill Americans must be available to the public so that voters can decide whether that authority has sufficient safeguards.

Now, the Obama administration initially disagreed with me. They were clearly reluctant to acknowledge specific limits on the President's power. To be candid, we had a pretty big public argument about that over a number of weeks. Many other Senators got involved. In fact, Senator PAUL, our colleague from Kentucky, brought the debate to a head with a 13-hour standing filibuster. I remember coming to the Senate floor to join Senator PAUL, and there were a number of Republican colleagues who were there as well.

I think one of the reasons it became such a significant debate in a viral moment is that it was literally exactly what our Founding Fathers envisioned: Members of the Senate coming together to check the power of the Presidency.

In response to this filibuster that Senator PAUL and others were part of, the Obama administration came around to doing the right thing. Attorney General Holder sent Senator PAUL a letter stating clearly that if an American is standing on U.S. soil, not engaged in combat, then the President of the United States does not have the authority to use military force against them.

Now, obviously, there are a host of other important questions about the limits of the President's war powers, but I thought that letter from Attorney General Holder was an important concession, and I am proud that Democrats and Republicans worked together on a bipartisan basis for it.

I was very troubled last week by the answers that Pete Hegseth gave in his nomination hearing before the Armed Services Committee. For example, our colleague Senator HIRONO asked the nominee directly if he would carry out an order to shoot American citizens. Mr. Hegseth could have given the same answer that Attorney General Holder gave us a decade ago, but this nominee just refused to answer the question.

Madam President, it is even more troubling when our colleague Senator SLOTKIN asked an even easier question. Senator SLOTKIN asked: Is there such a thing as an illegal order? The answer to that question should very obviously be "yes." If a President orders the Secretary of Defense to violate the law or the Constitution, that order is illegal. And it is, in my view, stunning that the nominee refused to answer this very straightforward question. Even our youngest soldiers in basic training know that it is their duty to refuse illegal orders. We should at least expect that much from our Secretary of Defense.

So I say to my colleagues, in closing, that it comes down to this: I thought we agreed—Democrats and Republicans, people of a variety of different political philosophies—believe that

what I have discussed are fundamentally important principles to America. We have fought hard in America to uphold them, and we did it together. For the life of me, I don't understand why we are voting today to confirm a nominee who can't tell us pointblank that he will oppose illegal orders and that he will uphold the Constitution of the United States.

For that reason, Madam President—I haven't spoken on the matter until just now—I intend to vote no on Mr. Hegseth's nomination and, frankly, I wish more of my colleagues across the aisle, for the reasons that have been outlined here, were joining me in voting no.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, it is nice to see you in the Chair.

The PRESIDING OFFICER. It is nice being in the Chair.

Mr. WHITEHOUSE. Madam President, I am here to add some thoughts regarding the vote we are going to have on Pete Hegseth for Secretary of Defense.

Of course, as a Rhode Island junior Senator, I am very cognizant of the important role that my senior Senator JACK REED has had on the committee of jurisdiction, the Senate Armed Services Committee. I want to give him credit for the way he has conducted himself.

What I can bring to this conversation is a little bit about background investigations. I sit on the Judiciary Committee. The Judiciary Committee does more background investigation work than any other because we have so many people coming through—the judges, the U.S. attorneys, every marshal—all of it. So we are very busy on BIs.

I took a deep dive into the Brett Kavanaugh background investigation and put out a report on the flaws and gaps and misdirections that transpired around that background investigation—specifically, that supplemental background investigation, a point I will clarify in a moment.

Let's start with what we do know about the FBI background investigation into Mr. Hegseth. We know that only one Democrat has even seen it, and that is the ranking member on the committee, Senator REED. And we do know that he has publicly said that that background investigation was—to use his word—"inadequate." So Republicans are going forward on the basis of an FBI investigation that a very respected Member of this body has publicly said was inadequate.

What else do we know about it? Well, it has been reported in the press that the chairman has said that it took three briefings by the FBI to get through the background investigation. I don't know why that happened, but we do know that new material emerged in the press about various kinds of misconduct by this individual after the

initial background investigation took place.

So the likeliest scenario to explain why there were three background investigations in the light of the recurring release of further information about his repeated misconduct is that there were supplemental background investigations after the original full field FBI background investigation was completed.

Let's presume that to be true. Again, we can't know this because this is all tied up in so much unnecessary secrecy, in my view. Let's presume that that is the case.

What does that mean? Well, what we discovered during the Kavanaugh background investigation is that the regular FBI full field background investigation takes place under a set of longstanding rules and protocols and procedures. They have forms that they follow. It has been routinized to a fairly significant degree. It is different than a proper FBI investigation. A proper FBI investigation in the criminal law enforcement front has a whole different set of controls and protocols and supervisory roles over that. When you get into the full field background investigation, you are operating under a different set of rules, but you are still operating under rules.

And you can ask the question to the FBI: Was this background investigation conducted fully within the rules and the protocols for background investigations—until you get to a supplemental background investigation.

Now, one of the objections that I had to the way we were treated as we tried to get to the bottom of the Kavanaugh background investigation was that the then-head of the FBI kept repeatedly saying publicly—we were repeatedly told that the supplemental background investigation was done consistent with all of the FBI standard protocols and procedures. What was misleading about that, as we later discovered, is that for a supplemental background investigation, there are no operating procedures and protocols. Wray said that they comported with all of their procedures. Didn't disclose that, in fact, there are no procedures to comport with.

What is the FBI doing in a supplemental background investigation? They are doing only and exactly what the White House has instructed them to do—period, no more, no less, no procedure, no protocol—which raises a huge question about the adequacy of this background investigation to the extent that, in its later stages, it was a supplemental background investigation.

We know that, when the Kavanaugh investigation was going on, Republican Senators were told that there was no corroboration—corroboration being kind of an important legal term here—no corroboration of the charges that had been brought by Dr. Blasey Ford of his attack on her those many years ago—no corroboration.

What we found out, later on, is that the instructions from the White House

to the FBI for that supplemental background investigation related to her charges were: Don't look for, don't find, and don't report to us any corroborating information.

We also found out that they never interviewed either Dr. Blasey Ford about her allegations or Brett Kavanaugh about his conduct.

So there is every reason to believe about this background investigation, as to the supplemental background investigation part of it, that it was woefully incomplete; that it was restricted by the White House to very, very narrow bounds; that we do not know what those narrow bounds are; and that, very likely, neither Hegseth nor the individuals making the charges were even interviewed by the FBI. And we can suspect that because that is precisely what happened in the Kavanaugh background investigation.

So there is a major, major weakness in what is publicly described as an inadequate background investigation, to the extent that those latter two segments of it that caused the three briefings to have to take place were supplemental background investigations precisely and exactly controlled by the Trump White House.

Another point that relates to all of this is that, when these witnesses came forward, the standard counterattack against them was that they were anonymous. Over and over again, Hegseth said in the committee: "Anonymous smears"—"anonymous smears."

These accusers were not anonymous. Not only were they not anonymous, they were willing and presented themselves as willing to be able to come over here and personally brief, in their offices, any Republican Senator. It is not anonymous when you are willing to show up in a Senator's office and give a personal briefing.

What they weren't willing to do was to put their names out there publicly. Now, why would they want to steer away from that? Ask Christine Blasey Ford what her life was turned into by far-right and MAGA attacks on her after she came forward with her charges against Brett Kavanaugh.

Ask the poll workers who were Rudy Giuliani's victims what their lives turned into after he called them out—conduct against them that gave rise to the massive, multimillion-dollar verdict that Rudy Giuliani is still struggling to pay. Evidently, some billionaire paid it off for him. We will see.

But it is perfectly logical for a person to be willing to come forward, like many witnesses are, to identify themselves and to speak privately—the way people often do in a grand jury—to a prosecutor without yet putting your name out there. And, actually, some are not anonymous, but we should reject the notion that these witnesses were anonymous. They were not anonymous. They are real people with real faces who are willing to come in and tell their real stories, and Republican Senators simply refuse to hear them.

That is a different thing than anonymity. They couldn't get through the doors of the offices.

So either our Republican colleagues already know who these people are—so they are not anonymous—or they are perfectly able to find out by getting their names and inviting them in and hearing them out. It seems like a pretty simple ask.

Now, in some cases, for instance, Mr. Hegseth's sister-in-law—ex-sister-in-law, I guess you would say—has actually put her name on her affidavit, describing his abusive and drunken misconduct. So she is not anonymous by any stretch of the imagination. And because the far-right counterattack team likes to attack people who are willing to come forward, they actually outed one of the other witnesses in a story. I won't mention her name because I do not want to make things even worse for her, but they did out her in a right-wing publication.

So you have at least two names that are out there that are clearly not anonymous and, indeed, are public. What happens with them? What happens with them is that they are accused of having evil motive; that they had a motive to lie about Pete Hegseth, and that is what is driving what they have been saying.

Well, guess who is really good at interviewing witnesses and looking at the surrounding circumstances and evaluating a motive—the FBI. The FBI is. So, if the FBI in this supplemental background investigation was instructed not to evaluate motive—just to let that be a political hand grenade to throw with no foundation—then we have an extra layer of problems with this background investigation.

So there is every reason to believe that the background investigation was inadequate and specifically directed by the White House away from relevant evidence, the way the Kavanaugh investigation was directed away from corroborating evidence. Here, it would have been directed away from evidence of motive, and you have got a real problem on your hands.

I urge my Republican colleagues—this is kind of the last call. If this guy gets in and starts to behave the way reasonable people can expect him to behave, you are going to own that. And when you say, "Oh, the background investigation should have brought that up," not if you didn't ask about the background investigation, not if you didn't get a real one, not if you didn't bring the actual witnesses in to hear from them themselves.

We have had another little event recently, which are the pardons of the violent January 6 rioters.

Before those pardons took place, our Republican colleagues said over and over again that that will never happen; that this is a weird Democrat pipe dream. "The very notion of pardoning these violent rioters who hurt police officers—who attacked and harmed police officers—is absurd," said one col-

league. The Vice President said it wasn't going to happen; that it would be wrong.

And after all of that talk and all of that reassurance, what happened? Donald Trump went right out and did it.

So, if you think there are guardrails around this individual, it has already been proven that they are not there. The thing you thought was absurd, the thing you thought would never happen, the thing you said was wrong was done, and if that is not a lesson as we go forward into these other defective nominees, I can't help you; I can't make you vote any other way.

But it ought to be clear that, with future misconduct by this guy, whether he is being drunk on duty or erratic or abusive or inappropriate with female staff and officers or even abusing the power of our military to accomplish political purposes for President Trump, there is really no sign of guardrails to prevent that, and an inadequate FBI report is something that should be cleared up before Republicans are forced to vote on this.

It is in your power to look into these things and get it done. It is not in our power in the minority. We are doing the best we can. So I urge you to consider those dangers as we move forward toward this vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Madam President, we are about to have a monumental vote out here on the floor of the U.S. Senate on who will become the next Secretary of Defense for the United States of America.

The defense budget in the United States is \$900 billion. The person who is given that responsibility has to be exceptionally well qualified in order to deal with all of the responsibilities that are tied to those military and personnel decisions which have to be made because there are 3.5 million servicemembers, and there are hundreds of thousands of aircraft, ships, submarines, combat vehicles, satellites, and the nuclear arsenal. And a variety of sources, including his own writings, implicate him with disregarding the laws of war, of financial mismanagement, of racist and sexist remarks about Americans in uniform, of sexual assault, of sexual harassment, and other very troubling issues.

These are perilous times, and the position of Secretary of Defense demands a leader of unparalleled experience, wisdom, and, above all else, character. The Secretary of Defense carries an immense responsibility not only to the American people but to the servicemembers whom they lead.

If confirmed, Mr. Hegseth will have a responsibility to serve our servicemembers in a manner that is fair and non-partisan and responsible. Yet Mr. Hegseth has demonstrated that he is incapable of doing so.

He has said:

I am straight up just saying we should not have women in combat roles.

He is opposed to transgender people serving in the military, despite their willingness to serve and sacrifice for our country right now.

He called reproductive justice “absolutely and utterly meaningless” in the military. He opposed Pentagon policies to help servicemembers get reproductive care, including IVF to start a family. These are American servicemembers.

I find Hegseth’s record extremely alarming. He is nominated to lead an Agency charged with defending American freedom abroad. Yet he does not stand for freedom and dignity and respect for the servicemembers of the United States of America in the military. Indeed, Mr. Hegseth’s own writings and alleged conduct should disqualify him from holding any leadership position in the military, much less from being confirmed as the Secretary of Defense for our Nation.

Donald Trump dared to impugn the legacy of the late, honorable Congressman John Lewis by saying, “John Lewis was all talk and no action,” but then Trump nominates a Secretary of Defense, Pete Hegseth, who perpetuates the lie, the racism that Black military officers are only promoted because of their race. Tell that to Colin Powell; tell that to Lloyd Austin, that they were only promoted because of their color. This is not just a failure of leadership; it is a moral crisis that strikes at the heart of who we are as a people.

It is not enough to just oppose Trump’s vision. There are hundreds of thousands of women in the military right now, and 19 percent of our military is African American. These are Hegseth’s own words about this very high percentage of the members of our military right now.

So the criticism of Hegseth is bipartisan. Senators from both sides of the aisle are opposed to this nomination. If you didn’t know anything else about him—if we didn’t have any more hearings, if we didn’t have any more documents, if we didn’t have any other people coming forward—we already have enough evidence and eye-watering detail sufficient to cast a “no” vote on the floor of the U.S. Senate on this nomination. That is because the position of Secretary of Defense is a serious job. We need someone who will bring their A game, 24/7, 365 days a year; and Pete Hegseth is not that person. His lack of experience aside, he has not shown the necessary morality, sense, or judgment to be Secretary of Defense.

Take the issue of nuclear weapons. Is this the person we want advising the President on whether or not he should launch a nuclear weapon against another country and possibly begin the end of life on Earth as we know it?

Secretary of Defense is a very important position. It puts him right at the heart of these nuclear decisions.

This nomination is a joke. Are you kidding me? Pete Hegseth will be there

helping to decide whether or not we launch nuclear weapons?

Let’s be clear. President Trump, as Commander in Chief, has the sole authority to order the launch of the U.S. nuclear arsenal. This is crazy, on its face, that one person can determine whether or not we start a nuclear war, with no consultation with anyone else. That is just absolutely absurd on its face, because no one person, particularly not President Trump, should have that unilateral power to start nuclear war.

I have just reintroduced my legislation with Congressman TED LIEU in the House of Representatives to make it the policy of the United States that no President can use nuclear weapons first without the express approval of Congress if we have not been attacked with nuclear weapons. You have got to come to Congress. But that is not the law right now. It is just the President.

Under the Constitution, Congress gets to declare war, not the President. But for now, President Trump has that power exclusively. At any time, for any reason, he can call over the military attache with the nuclear football and call the war room at the Pentagon and give the order to launch. Trump does not have to consult with anyone—not Congress, not the Joint Chiefs of Staff, not the Secretary of Defense.

But if President Trump did want to get a second opinion before starting a nuclear war which could end humanity, calling the Secretary of Defense would usually be a pretty good option in order to make that decision. Do we have any reason to believe that Pete Hegseth has any clue about nuclear weapons or nuclear policy or nuclear strategy? No, we do not.

In fact, Mr. Hegseth’s only qualification for this job that I can see is whether he will do whatever the President asks him to do.

Pete Hegseth is a yes-man. If President Trump calls Pete Hegseth at 2 a.m. in the morning and says, Pete, I am about to start a nuclear war, even though we haven’t been attacked with nuclear weapons, what will Pete Hegseth say? He will say, yes, sir.

So from this perspective, Mr. Hegseth is the worst possible choice to lead the Department of Defense.

We need someone who can challenge the President’s thinking, slow him down, curb his worst impulses, and give him sober, reasoned advice. And with Hegseth, that is not going to happen.

There are other monumental decisions on nuclear policy that President Trump will need reasoned advice on that he is not likely to get from Pete Hegseth. During the campaign, Trump had just one clear proposal related to nuclear policy: to build an Iron Dome missile defense system to ensure that “no enemy can strike our homeland.”

Now, this is a throwback to former President Ronald Reagan’s 1983 proposal called the Strategic Defense Initiative—also called Star Wars—to build a system of space- and ground-based

interceptors to make nuclear weapons “impotent and obsolete.” It made for great slogans. But after 40 years and some \$400 billion, the technology is still not up to the challenge.

If you try to scale up Iron Dome and cover a country the size of the United States against hundreds of Russian or Chinese long-range missiles, it just won’t work.

Trump could provoke a new arms race, even without his Iron Dome on steroids. Trump’s allies have called for the United States to build more nuclear weapons than Moscow and Beijing combined.

This idea is popular among conservatives at the Heritage Foundation and Project 2025. But let’s be clear. Expanding the U.S. nuclear arsenal is a terrible idea.

We need treaties that end the nuclear arms race. We don’t need a nuclear arms race with AI making these weapons even more deadly, even more accurate. We need treaties. We need negotiations. We need to come together on the planet. That is what we should be talking about.

Building more than we need is a waste of money, but it also makes the world more dangerous, not less dangerous, because it provokes a response from the other side.

Second, guess what Moscow and Beijing will do if Washington suddenly builds more bombs. They will do the same.

Third, a U.S. buildup would doom any chances of saving the U.S.-Russian arms reduction process.

The last remaining treaty, New START, expires 1 year from now. And unless we replace that treaty, there will no longer be any legal limits on the United States or Russian warheads for the first time in 50 years.

Do you hear what I said? No limits. We are in a new world now. For 50 years, we have had limits on nuclear weapons. They will all be gone in a year.

Trump’s allies are also calling for the United States to resume the testing of nuclear weapons for the first time since 1992. We ended nuclear testing three decades ago and then signed the Comprehensive Test Ban Treaty in 1996 banning all nuclear tests. We have conducted more nuclear tests—over 1,000—than all other nations combined. We have no need to test. But if we do, other nations will too, like Russia and China. Beijing has only conducted 45 nuclear tests. We have conducted a thousand.

Imagine how much China could learn if Trump gives it an excuse to resume testing, which China is not doing.

The only state in the world today that is still conducting nuclear tests is North Korea. We should be pressuring Pyongyang to stop, not reopening this Pandora’s box.

So, under Trump, we could see billions of dollars spent on long-range missile defenses that don’t work, the end of arms control and the start of a

new nuclear arms race with Russia and China, and new nuclear testing. All of this would make the world a more dangerous place and increase the risk of nuclear conflict.

If Trump asks Hegseth if he should do these dangerous things, the answer will be yes and yes and yes. That is where we are going to be.

Now, there is some possible good news, too. Trump, not surprisingly, gets along well with Russian President Putin. They might end the war in Ukraine. If they do, that could open up a path to negotiate a treaty, to follow a New START.

And as President Trump said just this week: We want to see if we can denuclearize. And I think it's very possible. And I can tell you that President Putin, if he wants to do it, we should take him up on it.

We should see. We should move in that direction.

As for Mr. Hegseth, the last thing President Trump needs is a yes-man for Secretary of Defense.

I will just add one final issue. As a national security threat, climate change, which the Pentagon and which the Joint Chiefs of Staff have said over and over and over again is a threat multiplier to our military and our ability to protect the world—it is a threat multiplier. Having a President who is a climate denier, coupled with the Secretary of Defense who is a climate denier, just ignores the reality of the world as it is unfolding in this climate era.

The whole defense budget is \$900 billion. Hurricanes Milton and Helene in October and November, combined with the fires in Los Angeles right now, \$500 billion of damage in three storms. That is half the entire defense budget for our country.

We can't have a Secretary of Defense who doesn't believe that climate change is a threat multiplier to our military and to the security of the planet. We need someone there who can speak truth to power to the President of the United States.

So I can't more strongly recommend a "no" vote on the floor of the Senate on this nomination. He is unqualified. His confirmation could be very dangerous to our Nation. We need military personnel who respects the Secretary of Defense. We will have none of that with Pete Hegseth.

So I very, very strongly recommend to this body that we vote no and tell the President to come back with someone who is worthy of this most important of all positions in his Cabinet.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

The Senator from Maryland.

TRUMP ADMINISTRATION

Mr. VAN HOLLEN. Mr. President, I come to the floor this afternoon to speak to some of the actions that President Trump has taken just in his first 3 to 4 days and speak to the nomination of Pete Hegseth as Secretary of Defense.

President Trump was sworn in at noon on Monday just down the hall a bit. As a candidate, he ran promising to help working men and women throughout the country. He talked about addressing their kitchen table issues. So let's take a quick look at some of the big actions that have been taken just in the last 4 days.

One very serious action taken was pardoning the men and women who were convicted of bludgeoning and assaulting police officers in this Capitol on January 6, 2021. For those of us who were here that day, we will never forget, because after losing that election, Donald Trump unleashed rioters on Capitol Hill, rampaging throughout the "citadel of democracy," clubbing police officers with baseball bats, and crushing them between doors.

Mr. President, 140 law enforcement officers from the Capitol Police and the Washington, DC, Metropolitan Police were injured that day. I remember their heroism, and I remember those who died in the days following those attacks.

To pardon people who were convicted of assaulting and bloodying and bludgeoning police officers demonstrates contempt for the men and women who help protect us every day—not just here in the Capitol but men and women in law enforcement throughout the country.

As the Fraternal Order of Police and the International Association of Police Chiefs have said, "Allowing those convicted of these crimes to be released early diminishes accountability and devalues the sacrifices made by courageous law enforcement officers and their families." They go on to say that this leniency "sends a dangerous message that the consequences of attacking law enforcement are not severe, potentially emboldening others to commit similar acts of violence."

The simple result of this is to send a terrible message that if you assault police officers in the name of Donald Trump, he will be there to pardon you. Let's look at some of the other actions he has taken just in these first days back in the White House.

He issued an Executive order that rolls back initiatives to help reduce the costs of prescription drugs for more Americans.

He has been laying the groundwork here on Capitol Hill for a huge new tax cut that will disproportionately benefit the superwealthy and the biggest corporations at the expense of other Americans.

We heard him speak at that podium during his swearing-in of the golden age, and sitting right behind him were

the billionaire titans from the tech industry. He is going to deliver a golden age—an even more golden age for those who are already very wealthy and for the biggest corporations, but it is not going to trickle down and help others. We know that because we have seen this movie before.

We saw Trump tax cuts 1.0. They promised that investments in businesses would go up, the idea being that if you provide tax cuts to big corporations, they will take the additional savings and they will invest it in their businesses. Well, that has been looked at, and that didn't happen. What did go up were stock buybacks engaged in by the corporations to further benefit their shareholders, many of them already very wealthy people.

They promised that those savings would be used by corporations to increase wages. In fact, they said that on average, it would be \$4,000 a worker. It just didn't happen. What went up were CEO bonuses.

What else went up was the deficit and the debt. The claim that these would somehow pay for themselves was just once again a pure falsehood disproved by reality.

So here we are embarking on 2.0, Trump tax cuts 2.0—same story unfolding, although now we already hear our colleagues talking about how everybody else in America and many other millions of Americans are going to have to pay for the tax cuts for the folks at the very top.

Just take a look at some of the proposals made by the chairman of the House Budget Committee, a Republican Member of Congress, talking about trillions of cuts in things like Medicaid—a very important health program that helps kids with disabilities, helps lower income individuals, helps seniors in nursing homes; talking about cutting programs in—food and nutrition programs.

So everyone seems to be all in with President Trump on the idea of another round of tax cuts for the very rich, but they are going to ask everybody else in the country to pay for it.

Let's look at something else the President did in his first 3 or 4 days. He issued an executive order called schedule F. What is schedule F? In a nutshell, schedule F is an attempt to convert our merit-based civil service into a political cronyism-based civil service.

Since the late 1800s and the Pendleton Act, we have had a civil service based on merit. Civil servants—people who work for the Federal Government in regular, ongoing positions—have to pass a test, show that they are qualified, that they are experienced, that they have the know-how. It is what you know, not who you know.

What President Trump and his team are proposing in schedule F is to convert that merit-based system into a politics-based system where you have a political litmus test not for competence but for your politics.