

independence for whatever it may accept under that character—that by such acceptance it may place itself in the condition of having given equivalents for nominal favors and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish—that they will control the usual current of the passions or prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good, that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism—this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April 1793 is the index to my plan. Sanctioned by your approving voice and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take—and was bound in duty and interest to take—a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and ex-

perience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat, in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow citizens the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES, 19th September 1796.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

#### EXECUTIVE CALENDAR—Continued

Mr. CASEY. Madam President, I ask unanimous consent to speak as in morning business.

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

#### TRIBUTE TO DR. CONSTANCE E. CLAYTON

Mr. CASEY. Madam President, I rise today, as I have every year that I have been in the Senate, which is quite a long time now—the last 10 years, going into 11—to give some remarks in commemoration of Black History Month. The way I have done that, and the way our office has done it, is to recognize a special figure in my home State of Pennsylvania, an individual who we are very proud of. Today we honor Dr. Constance E. Clayton, a trailblazing figure whose career in education positively impacted the lives of countless children in Philadelphia, and whose work

continues to pay dividends in the city public schools to this day. Throughout her long career as a teacher and administrator in the Philadelphia School District, Dr. Clayton never lost sight of her mission. In her words: “The children come first.”

A product of Philadelphia public schools, Dr. Clayton became the first African American and the first woman to serve as superintendent of the Philadelphia School District. This Black History Month, we celebrate Dr. Clayton's place in that history, but as we do, we should also ask ourselves if we are living up to her legacy and if we are putting the children first—all children everywhere first.

I will be seeing Dr. Clayton today and so many of her friends. The rules don't allow me to acknowledge anyone else in the Chamber. So I will do that later. But I do want her to know how much we appreciate her giving us this much time to pay tribute to her and to her work.

Connie Clayton's story is a great American story. Born to a plumber and social worker, she was raised by her mother and grandmother after her parents divorced when she was just 2 years old. She attended Paul Lawrence Dunbar Elementary School in Philadelphia.

Her mind, like that of so many children, was awakened by a special teacher. In her case, it was her fourth grade teacher at Dunbar, whose name she still readily recalls—Ms. Alice Spotwood. She remembers that Ms. Spotwood was kind, and she made learning fun. She also remembers that Ms. Spotwood seemed interested in her individually, even as she was interested in every other child in that classroom. Ms. Spotwood made Connie feel special.

Connie Clayton went on to attend Jay Cook Junior High School and Philadelphia High School for Girls, where she excelled academically. She thought she wanted to be a doctor, even taking 4 years of Latin at Girls High School on the theory that she would need to decipher dated medical jargon. Her enthusiasm waned when she realized that calling a body a corpus didn't make studying its contents any more appealing. She chose, instead, to focus on the mind, earning her bachelor's degree and her master of education degree from Temple University, before going on to her doctorate of education in educational leadership from the University of Pennsylvania, where she was a Rockefeller scholar.

Dr. Constance E. Clayton recognized that education—her education—was what empowered her to succeed. It started at Dunbar, where teachers like Ms. Spotwood first taught her to raise her sights and to reach out and to believe. So it is no coincidence that her first step in her professional life was to go back to Dunbar and return the favor. She took a role as a student teacher alongside many of the same people who taught her before she could imagine that the letters “Ph.D” would

follow her name or that the title “Superintendent” would someday precede it.

In 1955, Dr. Clayton got her first full-time teaching job at Philadelphia’s Harrison Elementary School, where she taught fifth grade social studies. Grounded in that personal mission that children come first, Dr. Clayton’s years as a teacher revealed a unique gift for understanding children, their specific challenges and their particular needs. This is no doubt why, in the years that followed, she earned a role in developing the social studies curriculum for the entire district and led an effort to develop and train teachers to implement a Black history curriculum throughout the school district.

Dr. Clayton recalls understanding that for students at a predominantly Black school in Philadelphia, it is Black History Month every day, every month, and they need to see their lived experience reflected in the course material because they didn’t see many white picket fences where they were growing up. To paraphrase Carter Woodson, often known as the father of Black history himself: Kids need to learn, not just about Black history but about Black people in American history. Dr. Clayton recalls the reward of watching kids excited to learn that they, too, could be a painter, an author, an astronaut or whatever they wanted, and of watching the limits of those children’s imaginations dissolve before their eyes.

Dr. Clayton didn’t limit her own imagination either. In 1972, she was named executive director and associate superintendent of early childhood education programs for the Philadelphia School District.

Early childhood education is an issue dear to my own heart, as the sponsor of legislation here in the Senate to ensure universal early education nationwide. We know that the stakes for this issue are high. Early learning increases future income. It reduces the chance of arrest or incarceration, and it also reduces reliance on social services. Under Dr. Clayton’s leadership, the Philadelphia School District expanded and enhanced its early education program into a national model.

Connie Clayton’s passion for helping children and her competence did not go unnoticed. In 1982, she was chosen as superintendent of the Philadelphia School District, the first African American and the first woman to hold that role. She knew the expectation would be high, but her mother always told her: “Delete the word ‘can’t’ from your vocabulary.” So Connie hit the ground running hard, declaring in the press conference where she accepted the job that motto that would come to define her tenure: “The children come first.”

I have often said that there is a light inside of every child, and it is the obligation of adults, especially elected officials, to make sure that this light shines brightly to the full measure of

its potential. We know that from day one as superintendent, Dr. Connie Clayton knew her job was to nurture this light. But as a product of segregated education herself, she understood that our system doesn’t always allow every light to shine equally bright.

High minority schools often receive less funding, often have less experienced teachers, and often offer fewer high-level math and science courses. We know still today that this is true. Black K–12 students are almost four times as likely as White students to receive an out-of-school suspension and almost twice as likely to be expelled. Black students represent 16 percent of the public school population today but 42 percent of the population of justice facility education programs.

Connie Clayton refused to simply curse the darkness of these numbers. She worked to change them. She knew that an enlightened mind can empower students to overcome the traps laid by cynicism, indifference, and underfunding—to slip the bounds of low expectation, beat the odds, and then turn around and work to change them. A good education can take that light inside and make it flare.

She might have asked, and we still are asking: What, then, is a good education? Can some combination of facts and numbers alone contain this transformative power of education?

Well, W.E.B. Du Bois said: “Education must not simply teach work—it must teach life.” Dr. Clayton understood this in all of its implications, both clear and subtle. She knew it was clear that a good education starts with an open school.

In the 5 years preceding Dr. Clayton’s term as superintendent, there were five teacher strikes in Philadelphia that cost students 1,000 days in the classroom. But during her 11 years in office, there wasn’t a single strike. She knew it was clear that a good education requires funding. When she came in, the Philadelphia School District was facing a crushing \$90 million deficit. When she left, it was running a surplus, and she had created financial partnerships with area businesses, all without closing a single school.

Dr. Clayton knew it was clear that a good education comes from a good curriculum. When she came in, she noticed the school district had stopped teaching algebra. When she left as superintendent, she fostered a partnership with local university professors to teach the subject of algebra to a voluntary class that grew from 9 kids the first year to over 1,900.

She implemented a free breakfast program because she knew that students from certain parts of the district might not be able to get food in the morning. We know, as she knew well, that hungry kids cannot learn.

She reinstated summer school because she knew that a few credits here or there can mean the difference between a diploma and a dropout, and in

that difference lay the blueprints to divergent lives.

She treated her schools like second homes for children because she remembered, from all of her years of teaching, how the vast majority of parents wanted more for their kids than they were able to provide and that they just needed some help in filling the gaps.

She took just 1 week of vacation in 11 years as superintendent—that has to be some kind of national record—and just 1 day of vacation in her many years of teaching before that, because she felt not just a passion for her work but an urgency to see its results.

Dr. Clayton had a sense of urgency about educating these children, in the same way it was urgent for the followers of Sojourner Truth in the 19th century. It was urgent for the students in the Student Nonviolent Coordinating Committee, known as SNCC, in the 20th century. They had that urgency. It has been urgent for all the ordinary lives before, between, and since. It was urgent for little Hannah A. Lions, a girl studying in Philadelphia in the 1830s whose family saved her school copybook as “proof that there were some educated [Black] people back when” and donated this copybook to the recently opened National Museum of African American History and Culture here in Washington, where it sits on display.

It was as urgent, of course, for Dr. Constance Clayton, when she attended segregated schools in the same city some 100 years after Hannah. That is because a good education is not just some combination of numbers and facts. It is enlightenment for a mind constrained, freedom for a soul repressed, and a passport to a future that transcends artificial limitations and unleashes potential.

Dr. Clayton worked feverishly to put one of those passports in the pockets of each student who passed through the Philadelphia schools under her watch. Her passion and her vision earned her a reputation as a reformer whom the New York Times wrote led an “educational renaissance” in Philadelphia.

She would do whatever it took to make schools better for her students. She pushed the district to meet the goals of the America 2000 Program, an ambitious plan to significantly increase the achievements of urban school districts across the country. She instituted the Homeless Student Initiative, a successful program to provide continuity in education and a level of consistent support to the hundreds, perhaps thousands, of homeless children in the district enduring the daily hardships of life in shelters. Connie worked to desegregate schools and made sure the district was providing employment opportunities to minority candidates.

Several years into her administration, the executive director of the Council of Great City Schools remarked of Dr. Clayton’s tenure as superintendent: “Looking at an array

of programs carried out in Philadelphia, you will see almost every innovative reform that has been proposed in urban schools.” So it is no surprise that Dr. Clayton received all manner of awards and honors. Let me mention a few: the Dr. Constance E. Clayton Chair in Urban Education at the Graduate School of Education at the University of Pennsylvania, which was named in her honor—the first endowed professorship in the United States to be named after an African-American woman. She received the Distinguished Daughters of Pennsylvania Award and the Humanitarian Service Award from the Philadelphia Commission on Human Relations, as well as the 2008 Star Community Commitment in Education Award from the Philadelphia Education Fund, just to name a few. She has received honorary doctorates from 17 colleges and universities, not to mention being a visiting professor at Harvard Graduate School of Education. I could go on and on today.

She currently serves as trustee of the Philadelphia Museum of Art, chairing the African and Afro-American Collections and Exhibits Committee and is a life member of the Delta Sigma Theta Sorority, where she has served in multiple leadership roles.

Connie Clayton’s life has been a life of service. We know that in our State capitol—the building has the following inscription: “All public service is a trust given in faith and accepted in honor.” Dr. Clayton honored the trust of public service. She validated the faith that the parents of all those students placed in her to carry out that trust, and she always put school-children first. So on behalf of those students and their parents and everyone else her work touched in the course of her long career, it is my distinct privilege to honor Dr. Constance E. Clayton in celebration of Black History Month on the Senate floor today. I want to convey our gratitude for her devotion to education and, of course, to the children of Philadelphia.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. CORNYN. Madam President, it has been since January 20 when President Trump was inaugurated that we have been trying to get his Cabinet choices confirmed here in the Senate. Unfortunately, it has been slow-walked to the point now that tonight we are going to be voting on the President’s nominee to lead the Commerce Department, Mr. Wilbur Ross. I am grateful to Mr. Ross for wanting to serve the country in this way. I think President Trump has chosen wisely as to the Commerce Secretary.

One of the things President Trump said Mr. Ross will do is enter into the negotiation process on NAFTA, the North American Free-Trade Agreement. In my part of the world, in Texas, NAFTA is viewed positively; it is not a dirty word.

Some people have suggested that trade somehow has a negative impact on our economy, but I believe the evidence is to the contrary. As a matter of fact, just between Mexico and the United States—5 million jobs depend on binational trade between Mexico and the United States. I know from time to time we have differences of views with Mexico. I saw that Secretary Kelly and Secretary Tillerson were in Mexico City on Wednesday talking about some of those differences but reassuring our Mexican counterparts of our sincerity and good will in trying to work through those. But the fact is, we share a common border with Mexico. What happens in Mexico has an impact on the economy and public safety in the United States and vice versa.

So I am actually grateful for the conversation I have had with the Secretary of Commerce nominee, Wilbur Ross and that he is interested in updating NAFTA, the North American Free-Trade Agreement, rather than throwing the baby out with the bath water. I think that is a positive approach and one that I certainly support.

We have a lot more Cabinet posts that remain vacant in the executive branch because our friends across the aisle have decided that somehow serves their political interests. But it does not serve the public’s interests and it does not serve the country’s interests to have a brandnew administration without the ability of the President to pick and choose the people he wants to help him govern the country. It creates more problems, and it also prevents us from getting on with the other important business of the Congress and working together with this President to try to move the country forward in so many important ways.

I am glad we will actually consider Congressman ZINKE’s nomination for the Department of Interior later this evening, but we are going to have to go through this arduous process, this procedural process of cloture and postcloture time-burning before we can actually vote on this qualified nominee. I have said before that by holding up these qualified nominees, they are not only preventing the executive branch from working for the benefit of the American people, but they are also keeping us from our other job. After we get out of the personnel business, we need to get about the business of legislating and producing results for the American people. So I hope that at some point and at some point soon, our Democratic friends will let us move on from the confirmation process and get down to work where we can make that progress.

#### NOMINATION OF NEIL GORSUCH

One of the areas in which I am very excited about our ability to effect change will be in considering the President’s nominee to fill the seat left vacant by the tragic passing of Justice Antonin Scalia. It has been a month since President Trump nominated Judge Neil Gorsuch to that position. As Americans—including Members of the Senate—are familiarizing themselves with his incredible record, I have been glad to see folks on both sides of the aisle speak so well of him, not just his sterling character and his sterling legal career but how he appears to be really the role model for the type of person you would want to see sitting on the Supreme Court of the United States. Those who know him and his work understand that he exemplifies the integrity, intellect, and accomplishment we would expect from someone on our highest Court.

Some of our colleagues across the aisle—notably the minority leader—have complained that Judge Gorsuch has refused to prejudge certain issues he has been asked about that will likely come before him as a member of the Supreme Court of the United States. I think Judge Gorsuch has it right. It is common practice for Supreme Court nominees, reflecting the judicial ethics of not deciding cases before they are actually presented, to decline to answer those sorts of speculative questions. Justice Ginsburg, whom the minority leader clearly respects, made this point eloquently, and Supreme Court nominees have adhered to the norm ever since. If following the well-conceived practices developed by people like Justice Ginsburg of declining to answer questions about how they would decide a case if it came before the Supreme Court—certainly if that is the rule she would embrace, then that ought to be good enough for Judge Gorsuch as well.

I think it reflects the fact that our friends across the aisle who are looking for something to complain about with Judge Gorsuch simply can’t find anything, and so they are creating this false choice of asking him to decide cases before he even assumes the bench on the Supreme Court, which clearly is unethical for any judge to do because judges are not politicians running on a platform; a judge’s job is to decide the law according to the law and the Constitution. How can you possibly know before the case is presented what the facts might be or how the issue might be presented to the court?

Every ethicist, every legal scholar who has had a chance to comment on such things understands that we can’t ethically require judges to say how they would decide cases before they go on the court. If they did, I think they would be disqualified from serving because they would really be just a politician wearing a black robe but one who is unaccountable to the American people since they serve literally for life.

Editorial boards across the country and even former Obama administration officials have recognized Judge Gorsuch as a man who would “help restore confidence in the rule of law.” Before he was even announced as the nominee, an editorial in the Denver Post, his hometown newspaper, encouraged President Trump to select him. They called Judge Gorsuch “a brilliant legal mind and talented writer.” That same paper, by the way, endorsed Hillary Clinton for President. But they agree that Neil Gorsuch is a tremendous nominee for the Supreme Court.

Just last week, the Washington Post issued an article titled “Simply stated, Gorsuch is steadfast and surprising.” Well, that is a very concise way to put it, and it is actually a great summary. He is steadfast in his belief in originalism; that is, the text of the Constitution actually means what it says, not based on some desire to see some particular policy affected that has nothing to do with the literal text of the Constitution. That is what judges do—they interpret a written Constitution, not an evolving Constitution or decide cases based on their public policy preferences.

It is clear that Judge Gorsuch is independent. He interprets the law as a judge should—with fairness and without bias.

To put it another way, Judge Gorsuch is exactly the kind of nominee you would hope to see from any administration, and it is gratifying to see him nominated to this important seat by President Trump. I am sure, because of the qualities I have described, that is why he was previously confirmed unanimously by the U.S. Senate to his current position on the U.S. Court of Appeals for the Tenth Circuit.

Judge Gorsuch is a tremendous jurist and scholar. He will be appearing before the Senate Judiciary Committee in March for questioning by members of the Judiciary Committee, and then there will be a vote. He has been confirmed by the Senate before unanimously, as I said, because he was then and is now a mainstream pick with an exceptional legal record. The more we learn about him, it seems the more we hear from folks along his journey from childhood, to law school, to his professional life, commending his intellect, integrity, and his strong sense of character. I believe he is simply the right man for the job. I look forward to considering him before the Judiciary Committee and to confirming him soon.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

CALLING FOR THE APPOINTMENT OF A SPECIAL COUNSEL

Mr. LEAHY. Madam President, I have been concerned. As I read the press and talk with officials, I learn more about the troubling connections between the Russian Government and President Trump’s campaign and administration.

We already knew—it is very, very factual—that Russian President Putin ordered a multifaceted campaign to undermine public faith in our election and to help President Trump win in November. That is something all of us as Americans should be concerned about. Whether you are a Republican, a Democrat, or an Independent, when you have that kind of an attack on our democracy, it is a concern to all of us.

Reports indicate that Trump officials were in repeated contact with senior Russian intelligence officials during this time. This comes on the heels of the President’s National Security Advisor having to resign after providing misleading details on conversations he had with the Russian Ambassador concerning U.S. sanctions. But there is a lot we still don’t know, including the extent of the contacts, who directed them, whether people who at one point or another left the Trump campaign were involved, whether there was collusion, and, of course, the obvious question: What did the President know and when he did he know it?

The American people deserve to know the facts. They deserve a full and fair investigation that is free from any political influence. The White House has already demonstrated it is not going to respect the independence of this investigation. The fact that the White House Chief of Staff attempted to use the FBI—in violation of Justice Department policies—to suppress news reports about Russian contacts reveals why we really can’t trust the White House to play by the rules. And, of course, the rules are very, very clear.

For these reasons, I am calling on Attorney General Sessions to step aside on this issue and to appoint a special counsel to conduct an independent investigation. That is not an attack on Attorney General Sessions. I have known him for 30 years. I just want to make sure we do not have these continuing questions about what the President knew and when he knew it.

Even a cursory review of the Justice Department’s recusal standards reveals that the Attorney General does not—indeed, cannot—have the independence necessary to assure wary Americans that this investigation will be driven by the facts, not by relationships. Certainly those who have served as prosecutors—Attorney General Sessions has; I have—know that there are times when the prosecutor has to step aside and let someone else do it just so that everybody can be confident in the investigation.

In fact, Justice Department regulations mandate that “no employee shall

participate in a criminal investigation or prosecution if he has a personal or political relationship with . . . [a]ny person or organization substantially involved in the conduct that is the subject of the investigation.” Of course, a “political relationship” is defined as “a close identification with an elected official . . . arising from service as a principal adviser thereto.” Prior to his confirmation, when we were holding the confirmation hearings on then-Senator Jeff Sessions, I asked him whether he met the standard. It is not really a close call. The rule perfectly describes the relationship between Attorney General Sessions and President Trump. But he brushed the question off, claiming that he was “merely . . . a supporter of the President’s during the campaign.”

Well, that is an obvious mischaracterization of the role he played as a top adviser to the Trump campaign. Attorney General—then-Senator—Sessions was widely recognized as a central figure in the campaign. He had his fingerprints all over the President’s policies. In fact, one of the President’s top advisers, Steve Bannon, even called him the President’s “clearinghouse for policy and philosophy.” That is a pretty close connection. I could hardly think of anything closer. To suggest the Attorney General was just “a supporter” and that he did not have a “political relationship” with the Trump campaign, when you look at the Bannon comments, that is patently false.

If the Attorney General refuses to follow the Department’s recusal standard—now as the head of the Department, well, then, I would hope he would follow his own recusal standards. Last year, just days before the election, then-Senator Sessions and other Trump campaign surrogates wrote an op-ed. He criticized then-Attorney General Lynch for not recusing herself from matters involving Secretary Clinton. The basis of his complaint was a “39-minute conversation”—to use his words—that Attorney General Lynch had with former President Bill Clinton in Phoenix, AZ. I would hope he would set the same standard for himself that he sets for others because it is kind of hard to talk about a half-hour conversation and say that requires recusal when it comes to the Clintons, but a year’s worth of vigorously campaigning with and vigorously advising does not when it comes to the Trump campaign. A year working on the Trump campaign doesn’t count, but 39 minutes talking to former President Clinton does? Come on. If that is the standard for recusal in one case—I won’t do the math on how many times 39 minutes goes into a year, but I would say, using Jeff Sessions’ own standards, he has far, far, far more reason to recuse himself in this matter.

During the 20 years I have worked with him, Jeff Sessions has often spoken of his commitment to the rule of law. I know he feels strongly about

that, just as I do. As Senators, every one of us should. Certainly every one of us who has had the privilege to be a prosecutor should have a commitment to the rule of law. Well, Attorney General Sessions' commitment is now being tested.

Whether we apply the Justice Department's recusal standard, which is very, very clear, or use the Jeff Sessions' 39-minute recusal standard, it is clear that Attorney General Sessions must step aside. In fact, nothing less than the integrity of our democracy is at stake with this investigation. And I do not say that lightly. Nothing less than the integrity of our democracy is at stake with this investigation. What did everybody know? When did they know it?

It is essential that the investigation be led by someone who—in both appearance and in reality—is impartial and removed from politics. That does not describe someone who was in the trenches of a political campaign with the subjects of the investigation while they were allegedly engaged in the activity under investigation, or somebody who has been described by Steve Bannon as a “clearinghouse for policy and philosophy” for President Trump.

For the good of the country, for the good of all of us—Republicans, Democrats, Independents—the Attorney General really has just one thing to do: Appoint a special counsel and let the public have the answers. What did everybody know? When did they know it? It is pretty simple. The people of Vermont, and I suspect throughout the country, would like to have those answers that go to the bedrock of our democracy.

In my 42 years here, I have never seen anything that has concerned me so much as another country that does not have the best interests of the United States at heart trying to interfere in our election, another country trying to determine what the United States does. This is a country that does not have the United States' best interests at heart but a country that wants to manipulate the United States. This U.S. Senator, for the time I have in office, will continue to speak out against it.

Mr. DURBIN. Will the Senator yield for a question?

Mr. LEAHY. Yes, of course, I will yield to the distinguished Senator.

Mr. DURBIN. I thank my colleague from the State of Vermont and, for many years, my fellow colleague on the Senate Judiciary Committee for his statement. I couldn't agree with him more that we need an independent, transparent investigation of this Russian invasion into the body politic of America in an effort to subvert our sovereignty. It was made by a country that is not our friend and was made at a time when they were trying to influence the outcome of an election.

I just want to note to my colleague and friend from Vermont that during the break I visited Poland, Lithuania,

and Ukraine. It was interesting. In Poland, they put up with the notion of Putin's interference on a daily basis. The most frightening prospect, of course, is the movement of military forces, which we hope never occurs, but they look at it as a very real threat. They have what they call the hybrid war. They said it isn't just the military; it is also his cyber attacks on our country, and it is also his propaganda on our country.

One of the Polish leaders asked me a question: We have been wondering, Senator, if the United States is not willing to confront Russia with its invasion of your sovereignty in your Presidential election, would you be willing to stand up for your NATO allies if there is an effort of aggression by Putin? Would you be willing to stand up against Russia in those times?

I think that is a legitimate issue. If we don't take what the Senator has raised very seriously about putting independence in the investigation of this matter, and we don't do it with dispatch, shame on us. But it is also going to say to the world that we did not respond in a positive and forceful way when it came to this aggression against the United States.

Mr. LEAHY. Madam President, if I might respond to my good friend and senior Senator from Illinois, he has been a friend and colleague for decades. The Judiciary Committee and the whole Senate has benefited from his knowledge.

What the leader of Poland said to the distinguished Senator is a very chilling thing, Madam President. He knows from his own family ancestors how bad an area can be if it is under the domination of something like the then-Soviet Union and now Russia. He also knows from his own experience as an American how important it is that we have the freedoms we have.

I was privileged, along with my wife Marcelle and several others—Senator COCHRAN, Senator UDALL, and Senator BENNET and Congressman MCGOVERN—to visit Cuba and have long discussions with people who would like to see real democracy come, and then to go to Colombia where they have fought for over 50 years a terrible internal civil war with countless deaths and atrocities and to see how they were trying to bring back the rule of law and the rule of democracy. And we just sit there, and it is so easy for us who grew up in an era in which we believe in our democracy and we believe in our voices being heard, where sometimes we win elections and sometimes we lose them, but we believe in the fairness of it. It is so easy to sit there and think: But we do it right.

This makes me wonder. Can we continue to say that? Can we be the beacon to the rest of the world? Can we say: Do as the United States does because we are open, we are transparent, we are honest.

Well, this has not been open, transparent, or honest. Let's make it so.

Let's not let it drag on. Let's go to it now so people can then start debating issues. I expect there will be areas where I will agree with the new administration and there are areas where I disagree with the new administration. But I want to know I am agreeing and disagreeing with an American administration, not with Vladimir Putin's administration.

So I am moved by what my friend from Illinois has said. I hope the rest of the country listens because we are supposed to be the example. We pride ourselves on being the example. We are the oldest existing democracy in the world. Let's not do anything that will come back to haunt us.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. MORAN). Without objection, it is so ordered.

#### NOMINATION OF RYAN ZINKE

Mr. TESTER. Mr. President, I am very pleased to see the majority of the Senate move forward and vote on the nomination of a fellow westerner, Montana's Congressman, and the next Secretary of the Interior, RYAN ZINKE. I appreciate RYAN's willingness to serve in this very important post. The Department of the Interior is vital to Montana's economy, and I am glad to see someone from the West selected to lead it.

The job of the Interior Secretary is critically important, especially today as America's public lands come under attack by way too many folks who want to see them transferred to the States or outright sold off. Selling them off to the States is the first step in selling our public lands to the highest bidder, and we can't let that happen.

Congressman ZINKE has publicly said that he will not sell off our public lands nor transfer them to the States, and in Montana, your word is your bond. For that, I am pleased to support his nomination.

Congressman ZINKE's to-do list is no doubt long, and I look forward to working with him to check that list off for the people of Montana.

Montana is home to some of the world's most prized public lands, including Glacier and Yellowstone National Parks and the Bob Marshall Wilderness. The fact is, our public lands are huge economic drivers, creating and sustaining more than 64,000 jobs in Montana alone through our outdoor recreation economy and thereby pumping billions of dollars back into our local economies.

That is why, when a foreign mining company threatened the gateway to Yellowstone National Park, I was pleased that Congressman ZINKE expressed interest in joining me and local

businesses and community leaders to protect it. I look forward to working with him to permanently safeguard the doorstep of Yellowstone National Park because Montanans know there are some places more valuable than gold, and Yellowstone is one of those places.

I feel confident that Congressman ZINKE will handle the issues before him with Montana common sense—issues like our national parks, and coming up with a responsible solution to the deferred maintenance backlog that is wreaking havoc on our national park system; the Land and Water Conservation Fund, and how to work with Congress and work in this administration to ensure full and devoted funding to initiatives like LWCF, the visionary Land and Water Conservation Fund; in Indian country, living up to our trust responsibilities that we owe to America's sovereign Indian nations; and in resource development, how to responsibly manage our public lands for energy and resource development, and how to balance that with respect to clean water and clean air and wildlife.

Of course, there are always some issues where Congressman ZINKE and I don't see eye-to-eye, but he has publicly committed to working with Congress to try and address some of the most important issues of this Nation's economy as it applies to our public lands. Montana's economy is no exception, and I will take him at his word.

As a Montanan, I know how important the Department of the Interior is to our way of life, and I am optimistic that Congressman ZINKE will do right by Montana and the country in his new role. Montana will be watching. For that matter, the country will be watching, and I know Congressman ZINKE will make us proud.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MURPHY. Mr. President, believe it or not, there are some smart people out there in America who are not billionaires. I know it doesn't seem like it as we debate yet another megarich Wall Street titan to head another department in the Federal Government, but billionaires do not actually have a monopoly on wisdom in this country.

But it doesn't seem that this is what our new President thinks. If they all get confirmed, Donald Trump's Cabinet will have a net wealth that is greater than one-third of all Americans. Think about that for a second. The Cabinet of the United States will have a net wealth all together that is greater than one-third of every single American—the poorest third of Americans—if you put them all together.

He has nominated millionaires and billionaires to head the Department of

Education, the Department of Labor, the Department of the Treasury, the Department of Commerce—the nominee we are now debating—and the Department of Health and Human Services. He even nominated two of his rich friends to head the Army and the Navy.

I heard President Trump talk over and over the past 2 years about how he was going to drain the swamp once he got here. As far as I can tell, all he has done thus far is just sell the swamp to his rich friends.

I am not saying that billionaires like Wilbur Ross aren't smart. You have to be pretty savvy in order to make all of that money for yourself or for your investors. There is honor in making money. That is the American dream—to have the opportunity, if you want it, to become very rich, to become very affluent, to create a business that makes you, your family, and maybe those who invested in it very well off. I have a lot of friends who have made a lot of money in and around Wall Street. I don't begrudge the fact that they did it. But making a lot of money for yourself doesn't automatically equate to the ability to run an agency or to run a country.

President Trump made a whole bunch of money for himself, but his first month on the job as President has been a series of not just domestic embarrassments but international embarrassments—writing Executive orders without even checking with the Cabinet to see if what he is doing is legal or illegal; not being able to fill positions in the White House or in Federal agencies—the number of foreign diplomats who tell me they have no idea whom to call right now in the Federal Government is as embarrassing as it is maddening—getting into public spats with even our most reliable allies like Germany and Australia; spending most of his time in pitch battles with the media and his own staff, rather than working with us on trying to solve the problems of this country.

Donald Trump is good at making money for himself, but those skills, as we have found, do not translate very well to running a country. Maybe that is because when the entire focus of your entire life is making as much money as humanly possible for yourself, you cannot pivot on a dime all of a sudden and start putting all of your energy into helping other people. Maybe life doesn't work like that. So that is what really worries me about these billionaire nominees.

A few weeks ago, I was on the floor talking about the now-Secretary of State Rex Tillerson. He spent his career at Exxon helping to build a very successful business, but in doing so, he hurt a lot of people. Exxon deals with horrible dictators who used those oil revenues in order to help murder thousands of their people. That was good for business, but it was awful for humanity.

Andy Puzder, who is no longer a nominee for the Department of Labor,

openly mocked his workers. He suggested they just got in the way of the efficient operation of his business, and he pined for the day when robots would replace them.

Now we are debating Wilbur Ross to be Secretary of Commerce. Wilbur Ross made a lot of money for himself, but he has taken advantage of the very bad trade deals that this body has passed in order to offshore thousands of U.S. jobs. One such company that he owned, a textile company, employed 4,700 workers in factories in North Carolina and South Carolina. That was inefficient in Wilbur Ross's desire to make as much money for himself as he could. So he took those 4,700 jobs and he shipped them to Guatemala. He said: This project will benefit from Guatemala's realistic wages.

When Mr. Ross acquired an auto parts factory in Carlisle, PA, a decade ago, in order to make more money for himself, he took a hard line with the workers, demanding cuts in wages and benefits that were worth between 25 and 30 percent of the workers' earnings. That is what he needed to do in order to squeeze as much money out of that company to make himself a few extra million dollars. When the union rejected the demands of Mr. Ross and when the workers rejected those demands, he shut the plant down and moved their work to North Carolina, to Canada, and to Mexico.

Wilbur Ross, Rex Tillerson, Steve Mnuchin, and Andy Puzder spent their entire lives obsessed with making as much money for themselves as possible and not letting anyone's good fortune get in their way. They fired workers, they foreclosed on people's homes, they shipped jobs overseas, and they supported brutal dictators—all of it justifiable as long as it meant they would make more money for themselves and for their investors. How on Earth has that become a qualification to serve the public, to serve at the highest level of the U.S. Government?

I am on the floor today to oppose the nomination of Wilbur Ross to be Secretary of Commerce—not because he didn't do a good job enriching himself through the myriad of businesses that he owned and operated during his time in the private sector but because during that time he trampled on the rights of workers, he offshored jobs, and he eliminated people's livelihoods in order to make more money for himself. All of the things that Candidate Trump talked about taking on were the things that Wilbur Ross was doing as he took advantage of these trade agreements to kill jobs in the United States and offshore them to other places.

President Trump said he was going to fight for the working guy. He isn't. He is doing the exact opposite. He is turning the keys of this government over to his wealthy friends so that they can potentially profit off of taxpayer dollars, so that they can deregulate the industries that, by the way, they are going to return to when their term is

up. They will get richer, just like they have through their entire lives, while the rest of us pay for it.

It is time for us to recognize that billionaires in this country do not have a monopoly on wisdom. Sometimes the very skills that allow you to make a fortune for yourself don't equate to the skills necessary to fight for everybody else through public service. I would urge my colleagues to oppose the nomination of Wilbur Ross to be Secretary of Commerce.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. THUNE. Mr. President, I rise to voice my strong support for the nomination of Wilbur Ross to be Secretary of Commerce. We held a hearing on his nomination on January 18, 2017. Mr. Ross has also completed the required paperwork and responded to all of the committee questions for the record. Five weeks ago, on January 24, the Commerce Committee acted by voice vote to favorably report his nomination to the floor. We invoked cloture on Mr. Ross's nomination by a vote margin of 66 to 31 on February 17, with 15 Democratic Senators voting to invoke cloture.

I am glad the Senate will finally confirm his nomination today after a long and unnecessary delay. When he is confirmed, Mr. Ross will bring decades of business, entrepreneurial, and civic experience to this important position.

Mr. Ross is perhaps best known for his expertise in revitalizing distressed businesses, such as those in the U.S. steel industry. At a time when most investors had abandoned the industry, he organized the International Steel Group in 2002, and through acquisitions, he made it the largest integrated steel company in North America. Later, it merged with Mittal Steel to form the largest steel company in the world. It is for this reason that all of the major steel-industry labor unions also support his confirmation.

I ask unanimous consent that the letter of support for the confirmation of Wilbur Ross from the United Steelworkers, dated January 9, 2017, be printed in the RECORD at the conclusion of my remarks.

Mr. Ross's nomination is also supported by a bipartisan group of former Secretaries of Commerce, including Secretary William M. Daley, who served as Commerce Secretary under President Clinton, and later as Chief of Staff to President Barack Obama.

Mr. Ross's strong record of achievement in business led Bloomberg Businessweek to name him one of the "50 Most Influential People in Global Finance" in 2011. It is also why he is

the only person elected to both the Turnaround Management Hall of Fame and the Private Equity Hall of Fame.

Mr. Ross's nomination comes at an important time in our Nation's economic recovery. I believe his extensive management experience in the private sector and his understanding of the challenges faced by workers and businesses alike will equip him well for the job of leading the Department of Commerce.

This large Department, which has 12 different bureaus and nearly 47,000 employees located in all 50 States and around the world, oversees a diverse array of issues, from trade to fishery management and from weather forecasting to the Census Bureau. Mr. Ross's experience turning around businesses should help them anticipate and mitigate the risk of major programs like FirstNet, the independent authority charged with creating a nationwide broadband network for first responders and the acquisition of critical weather satellites by the National Oceanic and Atmospheric Administration.

I would also like to underscore that the collaboration between the public and private sectors is one of the hallmarks of the Department's work, as exemplified by the ongoing development of cyber security best practices and standards, which the Commerce Committee has strongly endorsed. I look forward to Mr. Ross continuing his collaboration and strengthening it where necessary.

I believe Mr. Ross's business know-how and intelligence make him an excellent candidate to serve as the next Secretary of Commerce. I strongly support his nomination. I hope my colleagues on both sides of the aisle will support his nomination as well. It is high time we got this position filled and got this experienced person—someone who has a wide range of know-how all across the business sector and our economy—into a position where he can make a difference in helping to create jobs and grow this economy for our country.

I see that my colleague from Florida, Senator NELSON, the ranking Democrat on the Commerce Committee, is here as well. I would love to yield the floor to him and hear what he has to say about this nomination.

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

UNITED STEELWORKERS,

*Pittsburgh, PA, January 9, 2017.*

UNITED STATES SENATE,  
Washington, DC.

DEAR SENATOR: On behalf of the United Steelworkers (USW) representing hundreds of thousands of American workers, we urge you to support Wilbur Ross, Chairman and Chief Strategy Officer of WL Ross & Co., LLC, to serve as Secretary of the U.S. Department of Commerce.

Mr. Ross has shown a deep commitment to the future of our domestic manufacturing sector. Many of us have seen firsthand how he has worked to keep production and manufacturing jobs here in the U.S. The USW worked directly with Mr. Ross to save thou-

sands of jobs in the steel industry at a time of crisis. In fact, there are now thousands of our members in the steel and auto parts sectors that are working because of our ability to work together to save a critical piece of America's industrial base.

He knows what it takes to get the economy back on track, create jobs, and keep jobs from leaving the United States and build a framework so that American workers and companies are competitive and innovative in the 21st Century. There is much work to be done to restore America's manufacturing base and the good jobs it supports. As Secretary, Wilbur Ross will be someone who has a deep understanding of the challenges this vital sector faces.

We urge the Senate to move swiftly on his nomination and look forward to working with him to create more jobs for American workers.

Sincerely,

LEO W. GERARD,

*USW International President.*

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Florida.

Mr. NELSON. Mr. President, I, too, support Wilbur Ross. I know him. He lives in Palm Beach. I think he is a very good selection to be our next Secretary of Commerce. He is certainly qualified to do this job. He gave extensive answers during his confirmation hearing before the Commerce Committee. He has accumulated significant experience in dealing with the international business community, and he has detailed to the committee—in our examination of him, he detailed many of his ideas.

There have been some questions that have been raised about some of his business ties, particularly involving some of his foreign activities. One example is the Bank of Cyprus, which has significant levels of Russian investment. In the wake of the former National Security Advisor, General Flynn's resignation and under the overhanging question of the unlawful Russian involvement in a U.S. election, I certainly thought that it was prudent to get Mr. Ross's assurances on this matter in his dealings with the Bank of Cyprus and certain Russians who were involved in the Bank of Cyprus, so on February 16, I sent him a letter, along with four other members of the Commerce Committee, requesting information on any contact Russian investors in the Bank of Cyprus may have with officials from the Trump campaign or the Trump organization. I have spoken with Mr. Ross on at least two occasions since sending him the letter, one of those being today. He has verbally reiterated to me that he only had one meeting, approximately an hour, with one of the bank's Russian investors and that it occurred in 2014. The timing is important—2014—because that was before the Presidential campaign. He also assured me that he knows of no loans or interaction between the bank and anyone affiliated with the Trump campaign or organization.

Mr. Ross has been forthcoming with me, and I believe him in what he has told me, that it is true to his belief. But I want to say that at the same

time, the White House and the way they have handled this matter is not doing Wilbur Ross any favors. There are a number of Senators on the Commerce Committee who are extremely troubled and frustrated that the White House has chosen to sit on Mr. Ross's written response to the questions I and other Senators have posed, and they have refused to provide them to the Senate prior to tonight's vote. This is despite repeated phone calls to the White House—repeated phone calls. It is also despite repeated phone calls from me to Mr. Ross to ask him to get the White House off the dime since he has told me he has already filled out the answers in writing—they are just sitting in the White House. So there is someone in the White House who is making the decision that they don't want the Senate to have, in writing, what Mr. Ross has told me verbally in a private conversation.

If that is any indication of the level of transparency Congress and the American people can expect from this White House, then it appears that there is going to be a lot left on the floor and there is going to be the appearance of being in the dark on a lot of important matters. That is not the way you do confirmations. You do it in a collaborative fashion, especially when you have a good nominee like Wilbur Ross. The President proposes, the Congress disposes. The President nominates, the Congress confirms.

Not only is this lack of transparency unsettling, it is behavior that everyone in this Senate should agree is unacceptable and should not be tolerated. I do not want this to be taken out on Wilbur Ross because of the administration's secretive behavior. Instead, as I said at the outset, following my colleague, the chairman of the committee, I am going to urge our colleagues to support his nomination, but the problem is that Wilbur Ross is going to get fewer "yes" votes than if the White House would release his written statements to all of those Senators' questions.

As I said, I know Wilbur Ross. He is a good man. One of the reasons, aside from this problem of communication with the White House, is that Wilbur Ross brought forth candid answers about the work of the National Oceanic and Atmospheric Administration, NOAA. That agency, which is a part of the Department of Commerce, impacts the daily lives of every single American. NOAA provides the satellite data that is critical to observing hurricanes and severe weather and everyday forecasts that we have now come to rely on, that we pull up on our smartphones to find out what the weather is going to be. Where do you think that comes from? A lot of it comes from data from NOAA satellites.

Through the National Weather Service, NOAA provides the weather forecasts that drive this economy, answering questions like whether a farmer's crops are going to get rain today or

warning of dangerous tornadoes, particularly plaguing the State of the Presiding Officer. Of course, we remember the ones that just devastated parts of Georgia and Florida just a few weeks ago.

The National Ocean Service tells us if ships will have enough clearance to get their cargo into a port on time because it often depends on the tide as to how much depth there is with that heavy load of cargo, if they can get in the channel.

NOAA also provides world-class science regarding atmospheric conditions, including climate change and its impacts. My State of Florida, the impacts of climate change—we are ground zero. It is not unusual now that at seasonal monthly high tides, the streets of Miami Beach are flooded, and city wellfields have now had to be moved further to the west away from the Atlantic Ocean because of the rise of sea level and therefore the saltwater intrusion into the freshwater aquifer. Since 2006, Miami Beach has flooded significantly more often than it used to. Rain-related flooding events in southeast Florida have increased by 33 percent, and tide-related flooding has increased by a whopping 400 percent. That is not good for business.

We simply cannot afford to deny what is happening. The impacts of climate change are affecting Florida. They are also affecting a lot of other places around the world, read: Bangladesh.

NOAA quite literally saves lives and property, so naturally I fully expect any nominee for Secretary of Commerce to unequivocally support the ability of the experts at NOAA to do what they do best: collect the data, do the research, and provide critical products and services to the public free from political interference and free from censorship.

The Department of Commerce has three Nobel laureate scientists who are employees. While some of the nominees for other key administration posts have either been less than forthright, less than committal, or less than knowledgeable about the very real threat posed by climate change, Wilbur Ross candidly and explicitly assured me during his nomination hearing in our Commerce Committee that he believes—and I will quote him—that "science should be left to the scientists." I urge his fellow Cabinet nominees to follow suit. Don't do what we have seen—the intimidation techniques of saying that you can't use the term "climate change" or "sea level rise." Let the scientists do their work. Wilbur Ross also assured me that he would work collaboratively "to address the impacts of changes in sea level and ocean temperatures on coastal communities and fisheries."

So I want to say to the Senate that I appreciate Wilbur Ross's candor, his commitment, and his recognition that the important weather and climate work being done in NOAA directly ben-

efits commerce. I am confident he is going to follow through.

I also want to thank him, at his age, for offering himself for public service. This is a very schooled, experienced individual.

I hope this hiccup with the White House not being transparent and not returning what he has already written as answers to the Senator's questions—this problem—is going to disappear and, that rather than hinder him, as they have, they will instead support him, as they should.

For that reason, I am here to ask my colleagues to vote yes on Wilbur Ross's nomination.

I yield the floor.

Mr. VAN HOLLEN. Mr. President, creating jobs, fostering economic growth, maintaining sustainable development, and improving standards of living of all Americans are central tasks for any administration, and they are the mission of the Commerce Department.

Congress created the Department of Commerce and Labor in 1903, and then renamed the Department of Commerce in 1913 as the offices working on labor were transferred to the Department of Labor. Through 12 bureaus and nearly 47,000 employees, the Department runs programs that affect broad swaths of the American economy.

The Department includes the National Oceanic and Atmospheric Administration, which warns of dangerous weather, charts seas, and protects ocean and coastal resources. The Department includes the Patent and Trademark Office, which fosters technology and innovation, and the National Institute of Standards and Technology, headquartered in Gaithersburg, MD, which promotes innovation and industrial competitiveness. The Department includes the Census Bureau and Bureau of Economic Analysis, which provide economic data to help business and policymakers make intelligent decisions. The Department includes the International Trade Administration, which ensures that Americans have access to international markets and safeguards Americans from unfair competition. And the Department includes the Economic Development Administration to promote job growth in economically distressed communities.

To run the Commerce Department, President Trump has nominated Wilbur Ross, Jr., a 79-year-old private-equity billionaire with extensive holdings and extensive potential conflicts of interest. I have real questions about whether Mr. Ross is out of touch with ordinary Americans. And I have real questions about whether Mr. Ross's personal interests will conflict with his job as Commerce Secretary, if he is confirmed.

The Commerce Secretary enforces our trade laws, including against major trade competitors like China. Last year, Mr. Ross told Bloomberg TV that he had extensive holdings in China. Mr. Ross said, "We have—various portfolio

companies have almost 20 factories doing one thing or another over there.” And the New York Times reported that Mr. Ross is vice chairman of the Bank of Cyprus, making him a de facto business partner with Viktor F. Vekselberg, one of Russia’s most prominent businesspeople and a person with ties to the Kremlin. Several newspapers have reported that Mr. Ross plans to keep millions of dollars invested in offshore entities whose values could be affected by policies that he implements as Commerce Secretary. Mr. Ross reported plans to hold on to investments in an oil-tanker company and 10 other entities that invest in shipping and real estate financing, according to Federal financial-disclosure and ethics filings cited in the reports.

I have questions about Mr. Ross’s ability to work for Americans. Starting in the 1990s, Mr. Ross ran an investment firm that specialized in distressed assets. The Securities and Exchange Commission said that Mr. Ross’s firm had failed to disclose how it calculates its fees for some funds, which led to investors to pay roughly \$10.4 million of management fees that they should not have in the decade leading up to 2011.

The Commerce Secretary is a part of the President’s economic team; yet Mr. Ross appears all too willing to play fast and loose with fiscal showdowns. When, in April 2011, Bloomberg’s Mark Crumpton asked Mr. Ross whether S&P’s downgrade of America’s credit rating is “a step in the right direction,” Mr. Ross said it was. Ross said: “Well I think it’s a step in the right direction in that it will put pressure on the Democrats in the Senate and on the President to go along with some of the Republican reviews about really cutting the budget deficit and ultimately cutting the total indebtedness of the United States. So in that limited sense I think it is a step in the right direction.”

Mr. Ross was all too quick to dismiss the strain that a furlough put on Federal Government workers. In October 2013, CNBC’s Betty Liu had this exchange with Mr. Ross:

Ross: I think shutting down the government—so-called shutting down the government, which it’s not really shut down—

Liu: What do you mean?

Ross: Well, many parts of it are still quite open. And it’s just at the fringe that it—that it really matters.

Liu: Yeah, but tell that to the government workers though who are furloughed, right?

Ross: Yeah, but they’re going to get their pay. They know they’ll get their back pay. So I don’t see that that’s a permanent damage.

Mr. Ross was all too quick to dismiss the pain of homeowners who lost their homes in the financial crisis. Bloomberg TV’s Betty Liu had this exchange with Mr. Ross:

Ross: I think you have to look far and wide to find a home owner who’s an actual victim. These are all theoretical things. They’re mostly technical problems that the banks did wrong. To the best of my knowledge—

Liu: I think it’d be really hard to find, to pinpoint down to individuals, right?

Ross: Well there’s never been a case that I know of where someone was dispossessed who didn’t have a mortgage and wasn’t in default.

Liu: What do you mean?

Ross: Well all these claims that there was robo signing and all these imperfections, that’s true. Those were not what should be. But the real question is was anyone actually dispossessed wrongly.

Liu: Of their property.

Ross: Yeah, incorrectly. And I don’t think you find a single case.

The Commerce Secretary oversees the NOAA and the National Weather Service. But in a conversation with Fox Business’s Neil Cavuto, Mr. Ross was dismissive of the reality of climate change. Mr. Ross said: “Well, I think unless the weatherman can tell me if it will rain tomorrow why would I believe you can make a 100 year forecast. So, I’m skeptical about the underlying basis.”

And so President Trump has nominated to be Commerce Secretary a person who has so much wealth and so many foreign interests that it appears that it will be difficult for him to work in the interests of middle-class Americans. His extensive foreign business interests call into question his ability to fight to enforce America’s trade laws. Mr. Ross has expressed cavalier attitudes toward economic brinksmanship and shown little concern for the people laid off or who lose their homes as a result. And Mr. Ross has expressed an open skepticism toward the reality of climate change that calls into question his ability to run the agency that does research into global climate. For these reasons, I cannot support his nomination.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask unanimous consent to speak as in morning business.

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

#### ENDING GLOBAL HUNGER

Mr. MORAN. Mr. President, I am here on the floor tonight to speak about our Nation’s efforts to end global hunger. It is an undertaking that countless individuals, foundations, and government agencies have devoted a significant amount of time, resources, and effort attempting to solve.

Those who have dedicated their lives to feeding the hungry deserve our deepest gratitude and respect. They made the decision to improve the lives of others less fortunate than themselves, and they often have done that at their own loss of comfort and their own well-being. There is no nobler a calling than trying to do something for someone else, especially when it costs you something as well.

Regardless of our faith, our creed, or our religion, almost all of us are taught early in life that it is our duty to help those in need. Americans consistently have taken that moral responsibility to heart. As individuals,

we help our neighbors through our churches and other local organizations. We help feed our hometowns. As a country, we lead the world in providing food aid to millions of people who are in need of that assistance.

In 1983, at a signing of a World Food Day proclamation, President Reagan cited 450 million people in developing countries who were undernourished. Our global population has risen by 3 billion people since that time, and today there are nearly 800 million undernourished people in the world who do not have enough food to lead healthy, normal lives.

While strides are being made in the fight against food insecurity, it is clear that our commitment cannot waiver, and ending hunger must remain a priority.

At that same White House ceremony, President Reagan chided the Soviet Union for failing to provide humanitarian relief to those in need. President Reagan offered a direct challenge to the Kremlin to explain why the Soviet Union only provided weapons but not food assistance to the underdeveloped world.

While the threats in the world today are different than those faced during the Cold War, American food assistance remains a powerful foreign policy tool. American food aid elevates our country’s moral standing and leadership in the world, as realized by President Reagan, but our efforts to reduce food insecurity also serve our own national interests by promoting political, economic, and social stability in the world.

Food-related hardships and hunger—either due to price increases or food shortages—act as a catalyst for protests and armed conflicts. We have witnessed regions of the world that are critical to America’s strategic interests descend into chaos due to people not having access to affordable food.

From 2007 to 2011, spikes in global food prices led to increased food insecurity and unrest in the world. In the Middle East and North Africa, food-related challenges were one of the major drivers of the mass uprising that we call the Arab Spring.

In Syria, Islamic State rebels use the promise of food and basic necessities to recruit soldiers. Food shortages have led refugees to leave camps and return to an active war zone in search of food for themselves and their families.

Closer to home, food prices contributed to rioting in Haiti in 2007 and 2008. As food prices increased and economic conditions deteriorated, U.S. Coast Guard interceptions of people from Haiti attempting to immigrate to our country rose by 20 percent, straining Coast Guard resources.

The National Intelligence Council warns that a continuation of the fundamental contributors to food insecurity—such as expanding populations, slowing of agricultural yields, and gaps in infrastructure and distribution systems—will result in increased food insecurity, hunger, and instability in the

Middle East, Africa, and South Asia over the next 10 years without greater, greater intervention by the United States and others.

In America, we take our food system for granted. Americans spend less than 10 percent of our disposable income on food. Even though less than 2 percent of our country is directly engaged in farming, Americans have direct access to the safest, most affordable, and highest quality food in the world.

I am proud of the wheat farmers and the ranchers in my home State of Kansas. Agriculture production is a noble calling. Feeding the world is important and a meaningful way to spend one's life, and Kansas families have done it for generations.

Our country's food system at home is critical to our own security and well-being, and helping other countries achieve food security and stability serves our national interests as well.

Utilizing U.S.-grown commodities in food aid programs also benefits American farmers and ranchers by creating export markets for our agricultural products, sometimes reducing an excess of supply.

Almost 10 percent of exports of the hard red winter wheat grown in Kansas in 2016 was utilized by international food programs, representing a significant market share for wheat grown in our State. Today's low commodity prices only serve to highlight the need for ag export markets for producers.

A few months ago, I called on the U.S. Agency for International Development and the Department of Agriculture to significantly increase the amount of wheat in our global food aid programs.

Our country's abundance of food imparts a moral duty to provide humanitarian relief to those in need. We have witnessed great unsettlement and mass migration in the world due to political instability and civil wars. The vast majority of people affected, including displaced refugees whose lives were uprooted and whose ability to feed themselves was taken away, are suffering through no fault of their own.

In other parts of the world, people are born into such poverty that simply finding sufficient food is a daily challenge. Reading recent articles, the question has often been: Where am I going to find food to feed my family?

People in Cambodia indicate they have no idea. It is a day-to-day, moment-to-moment, meal-to-meal experience. Even if that food is available, it is often not accessible to people without the means to pay for it.

Many of these people—wary, desolate, and hungry—survive only because of the generosity of the American people. Those hungry and less fortunate depend on a nation with moral strength and clarity to give them a helping hand.

There is still more work to be done in the fight against hunger, and America ought to continue to rise to the challenge of providing food and helping

people feed themselves throughout the world.

It is a turbulent world stricken with conflict, and sometimes the hunger and problem seem so great that it would be easy just to walk away and say it is too big of a problem to solve. But certainly we have the ability.

We have the means to feed one person. If we can feed one, why not two? And if we can all feed two, why not three?

We can't simply look at this challenge as being too big to overcome and that the world will always have hungry people and then just say: We have no responsibility to respond.

Food aid provided by the U.S. reduces despair and increases stability. My point is that it has a moral component. It is the right thing to do, but it is also beneficial to our own Nation, providing stability around the globe and increasing our own national security.

The importance of these issues motivated me when I was in the House to chair the House Hunger Caucus, and now I cochair the Senate Hunger Caucus. I can't remember what year it was, but I had a midlife crisis. I have probably had several since then. But my thoughts were at that point in time, back in my House days, that at least then I thought of myself as a pretty good Member of Congress. I answered the mail. I met with constituents. I visited my State on a weekend-by-weekend basis. I had input. I did the things that a good Member of Congress is supposed to do. I represented my constituents well.

But we all can do something more than just be a good Member of Congress, and that was my conclusion. If there is an issue that we want to champion, if there is an issue on which we want to make a difference, if there is a moral cause we want to rise to the occasion to support, hunger, particularly for Congressman—now a Senator—from Kansas, ought to be a place I put my stake in the ground and go to work.

I suppose I have taken a few months off of this issue—and maybe I am having another midlife crisis—but it is time for me to reengage and to engage effectively as best I can to see that we live up to a moral commitment that also benefits our own country.

So I now cochair the Senate Hunger Caucus. I have since I came to the Senate. I serve with a number of my colleagues, including the one who is on the floor tonight, the Senator from Illinois. I ask my colleagues to join us in the effort to meet the needs of a hungry world, to take the step to see that one more person is fed, one more family has less insecurity, one more mother or father no longer worries about whether their children are going to go to bed hungry.

Former Kansas Senator Bob Dole has set many standards in the way that he led his life, which we should all aspire to meet, not the least of which is his unwavering commitment to ending hunger. Those of us in this Senate

today ought to seek to carry on Senator Dole's legacy. I would encourage my colleagues to join me and others as we work to put the Senate Hunger Caucus together, to enhance its ability to address the issues that we face in the real world to fight hunger.

I am committed to reengaging these efforts. Along with the other caucus cochairs—Senators BOOZMAN, CASEY, DURBIN, and BROWN—I would extend an invitation to each of my colleagues to join that caucus so that we can take the small step of fighting hunger by becoming more knowledgeable, more aware and engaging in the moral and strategic battle to end hunger around the globe.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, let me start by commending my colleague from Kansas. It is an honor to join him in this Senate Hunger Caucus effort. He does it in the tradition of Senator Bob Dole of Kansas. Along with George McGovern, they were two of the most unlikely political allies. They really dedicated a large part of their public lives to fighting hunger.

I am happy to join him in the memory of Paul Simon, who did the same for the State of Illinois. So I am looking forward to joining the Senator in this effort. I hope the Senator doesn't have to suffer another midlife crisis in the future. Let's continue this in a good bipartisan spirit.

I thank the Senator from Kansas.

Mr. President, I have come to the floor repeatedly in recent months to raise concerns about the Russian cyber act of war against our Nation, about Russia's aggression elsewhere against the West, this President's disturbing alliance with Russia, and the majority party's incredible silence on the Senate floor on these matters.

Well, I just spent several days visiting our allies in Eastern Europe—notably Poland, Lithuania, and Ukraine—and return even more concerned.

You see, regardless of the partisan leanings of who is in government in these nations, the concern is the same.

Is the United States, history's champion of democracy and collective security in Europe, backing away from these values and commitments just as Russia is more aggressively challenging them?

Is the American President really using phrases like "enemy of the people" to describe a free press—a term used by Soviet dictator Joseph Stalin, that was so ominous that Soviet Premier Nikita Khrushchev later demanded the Communist Party halt its use because it "eliminated the possibility of any kind of ideological fight"?

Are the Trump administration's bizarre blinders to Vladimir Putin's aggression and true nature—and the silence of too many of my Republican colleagues on this danger—a harbinger of some kind of Western retreat to the Russians?

Well, I met with many of our dedicated diplomatic and military personnel in the region who, as part of ramped up reassurance efforts by the previous administration, are working to keep Putin in check.

These included more than 100 U.S. military personnel working with their Lithuanian counterparts about an hour outside of the capital in Rukla. These U.S. troops and their colleagues rotate out of Poland and throughout the Baltics to augment their NATO partners in deterring a Russian attack.

Mr. President, the concerns about Russian aggression are legitimate and warrant serious attention. Let's take a look at just recent Russian actions in Europe. One day after President Trump spoke to Putin on the phone in late January, Russian-backed separatists increased their fighting in Ukraine—leading to the highest death toll in months.

After Vice President PENCE tried to reassure allies at the Munich Security Conference the other week, Russia agreed to start accepting identification documents issued by the separatists in eastern Ukraine—one step closer to annexing the illegally seized territory.

Putin is strong-arming Belarussian President Lukashenko to allow Russian troops to remain based in Belarus following an upcoming significant military exercise. Russia is putting more and more sophisticated weapons into Kaliningrad, which when combined with permanent troops in Belarus, will significantly increase security threats to the region. Russia just announced a referendum to rename land it illegally seized by force in Georgia.

Putin is trying to stir unrest in Kosovo where NATO is trying to maintain stability after the horrific violence of the Balkan war. He attempted a coup in Montenegro. And Russia continues its aggressive disinformation campaign and cyber attacks throughout Europe, trying to manipulate elections and sow instability and lack of trust in democratic institutions. One Polish expert summed all this up wisely, saying "if the United States does not respond to the Russian attack on its election, Putin will feel he has a free hand to keep taking such destabilizing actions in the West." I worry that is what is already happening.

So, what is the response to these actions by this White House and the majority party—the party of Ronald Reagan who understood the Russians so well?

So far, with the exception of a few important voices, largely silence.

In fact, as I have mentioned here before, since October when the first intelligence reports came out about the Russian attack on our election, not a single Republican has come to the floor to discuss this act of cyber war by a former KGB official on our country.

And our President, who has attacked hundreds by Twitter for even the most benign perceived slight, has refused to say anything negative about Putin.

Obviously, we need to get to the bottom of the Russia attacks on our election and if anyone in the Trump campaign had inappropriate contact with the Russians. An independent commission led by respected individuals such as Sandra Day O'Connor or Colin Powell could lead such an effort. And we need to see the President's tax returns to clarify what his son said in 2008 regarding Trump's businesses seeing "a lot of money pouring in from Russia."

We need to pass the bipartisan Russian sanctions bills pending in the Senate Foreign Relations Committee—one that tightens sanctions on Russia for its actions here and abroad and one that requires congressional approval before any sanctions on Russia are lifted.

And we need to make sure we include continued support to Ukraine and for the European Reassurance Initiative in our next appropriations bills.

Mr. President, I remember as a young Congressman trying to get into Lithuania more than 25 years ago when it courageously tried to hold an election breaking free from the Soviet Union.

Those brave Lithuanians had little but their idealism and a few rifles to protect themselves from the Soviet tanks.

But in the end they prevailed, and one by one, Eastern European nations freed themselves from Communist tyranny, a struggle Ukraine is still fighting against Russia.

Today one can still visit the KGB museum in the capital of Lithuania—a hall of horrors that nobody should ever forget. One Lithuanian member of parliament I met, who remembers life not only under the Soviets but also under the Nazis, recalled how his mother had survived 4 years in a Nazi concentration camp.

He emotionally said that he had always seen the United States as the champion of freedom, democracy, and a Western global order. I could tell he was deeply worried about any backsliding on that important role and any possibility of returning to the darker days in Europe.

I don't know exactly what Steve Bannon is whispering in Trump's ear regarding his dark world view and indifference to the transatlantic Western alliance, but this post World War II partnership has served American and global interests. The relationship has brought stability to Europe after decades of horrific war. It has brought democracy and common markets and served as a check against the Soviet Union and now Russia.

I am glad Vice President PENCE made some references to this at the Munich Security Conference, but those words will not be enough on their own. Quite simply, any sympathies in the White House with Russian efforts to undermine the transatlantic relationship are outrageous and dangerous, and I will oppose them here in the Senate.

To reiterate, Mr. President, during the Presidents Day break, I took a trip

to three capitals, which I consider to be timely and important visits: Warsaw, Poland; Vilnius, Lithuania, and Kiev, Ukraine. I have been to these cities many times, and I have a particular attachment to them. My mother was born in Lithuania, and so returning there, as I have for over 35 years, I have seen a sweep of history as that small Baltic State has moved from a republic of the Soviet Union to a free and independent nation today. I am so proud of the courage of Lithuanians that had brought them to this moment.

Going to Warsaw, Poland, is natural for a Senator from Chicago. We have more Polish Americans in that city and in our State than anyplace outside of Poland. We are very proud of our Polish heritage. They are wonderful people. They are not only hard-working, good Polish Americans, but they are also always thinking about their own homeland, which was under the control of the Warsaw Pact, a Soviet-inspired alliance, for decades, at the expense of their freedom.

I also visited Kiev, Ukraine. That capital has become well known to many of us since the invasion by Vladimir Putin, which is the point I would like to make.

The thing that ties these three countries together, despite their differences in history, is the fact that if you ask each of these countries today to identify the major external threat to their existence and to their freedom, they would identify Vladimir Putin of Russia. I found that in Warsaw, again in Vilnius, the capital of Lithuania, as well as in Ukraine.

It was interesting—and Senator JEANNE SHAHEEN joined me on my trip to visit Poland—that as we met with the leaders of that nation, we heard repeatedly their concerns about Russian aggression. It was something that was critically important to them. They were heartened by statements made by Vice President PENCE at the Munich conference about the future of the NATO alliance, but let's put it in context. The reason the Vice President had to travel from Washington to Munich, Germany, to say to the Western world that was gathered there that the NATO alliance was still strong was because the current President of the United States, Donald Trump, had tweeted that NATO was obsolete, and one of his followers, Steve Bannon of Breitbart fame, had questioned whether we should be engaging in these kinds of alliances.

Well, I think those alliances are critical. The NATO alliance has been one of the most successful in history. So when Vice President PENCE went to Munich to assure our NATO allies that we were still on their side, it was an important message.

I did find one other thing telling and memorable about that trip to Warsaw. One of the Polish leaders said to me: We have read that the Russians invaded your election. We are used to this. He called it the hybrid war. He

said: It isn't just aggression by Russians with military aggression, which is scary enough, but it is a war of cyber aggression and a war of propaganda, and clearly Vladimir Putin believed in your last Presidential election that he could use some of those same tactics that he uses against Poland and the Baltics in the United States. This leader in Poland then challenged me: What are you going to do about that? Now that you know that Vladimir Putin has invaded your election, now that your intelligence agencies tell you that, will you do something? Will you take this seriously? Will you investigate it? He said: Our worry in Poland is, if you will not respond to Vladimir Putin's invasion into your cyber space, what will you do if he invades Poland? Will you stand by us as you promised in article 5? If you don't take him seriously when he invades your sovereignty, will you take it seriously when he invades ours?

It is an important question and a right question. I hope we take a lesson from it—not to take Vladimir Putin for granted, not to view him as a superhero or great leader but to understand that people around the world are watching to see how we react to this Russian invasion of our election.

In Lithuania, they face propaganda on a daily basis. German troops under the flag of NATO are now in Lithuania making it clear that we are committed to the future and security of that nation. What did Vladimir Putin and the Russian propagandists do as soon as these German troops moved into Lithuania? They created an absolutely false rumor that a German soldier had raped a Lithuanian woman. It wasn't true, but it was the kind of false information that they have spread in the hopes of undermining the confidence of Lithuania and the NATO alliance.

I met with the President of Lithuania, Dalia Grybauskaitė, and she is a very decisive leader. I thought of Margaret Thatcher's style when I met with President Grybauskaitė. She is an "Iron Lady" in her own right to protect Lithuania and other Baltic States from Russian aggression.

The last trip we made was to Ukraine, and Congressman MIKE QUIGLEY of Chicago joined me in that visit. In that visit, we had a chance to meet late at night, 9 o'clock at night with the President of Ukraine, Petro Poroshenko, who was kindly waiting for us to get off the plane and come join him at his Presidential offices. They are struggling even to this day. As President Trump is in conversation with President Putin about future relationships, sadly, at that very same moment, aggression by the Russians in Ukraine was growing. Over 10,000 people have been injured or died now because of the Russian invasion of Ukraine. There is speculation, and I hope it is just that, that some back-room negotiations are underway to recognize this Russian aggression in Ukraine. I sincerely hope that never happens. We should never condone

what Vladimir Putin has done to that country of Ukraine. They are struggling now to get back on their feet. They are making reforms that are unpopular but necessary. They are strengthening their economy and at the same time they are fighting a war.

I left there with two resolves. One was to make sure we provide military equipment necessary for Ukraine to be successful to ward off this Russian aggression; No. 2, to continue to work with them in terms of building their economy and reform; and, No. 3, that we have a visible physical presence with those NATO forces in the Baltic States and in Poland. We have a great alliance in these countries. In Poland the Illinois National Guard has been a longtime ally of the Polish forces, and we are very proud of that relationship.

When it came to Lithuania, we were able to see a group from Fort Carson in Colorado. It was a tank command. I never saw prouder soldiers in my life—American soldiers anxious to show this Senator the Abrams M1 and the fighting vehicles they were using preparing for the possibility of defending Lithuania and the Baltics. It was an inspiring moment.

I made my statement part of the record, and I know the Senator from South Dakota is seeking the floor, but I left there committed to the NATO alliance and committed to the effort to stop the aggression of Vladimir Putin, committed as well to come home to the United States and say to my colleagues in the Senate and House that we have to take it seriously when Vladimir Putin tries to change the outcome of an American election. It is a sad day in American history. I believe November 8, 2016, is a day that will live in cyber infamy for what Vladimir Putin tried to do in the United States. For us to ignore it, to sweep it under the table, to hide it behind some committee door, when no one knows what is going on inside, is not the appropriate answer. We need an independent, transparent investigation of what the Russians did, a special prosecutor at the executive level, and an independent commission like the 9/11 Commission, headed by notable Americans like GEN Colin Powell or Justice Sandra Day O'Connor, who will bring all the facts to light so we know once and for all the truth of what happened and make certain it never happens again.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from South Dakota.

#### REPEALING AND REPLACING OBAMACARE

Mr. THUNE. Madam President, 2 weeks ago, major health insurer Humana announced its decision to completely withdraw from ObamaCare exchanges for 2018. The company decision was not particularly surprising. Humana had already sharply reduced its participation in the exchanges for 2017, but the decision did confirm yet again that President Obama's healthcare law is on its last legs.

Choices on the exchanges declined sharply for 2017 as insurer after insurer cut back on participation. Nearly one-third of U.S. counties have just one choice of insurer on their exchange for 2017. Meanwhile premiums on the exchanges are soaring. Exchange premiums increased a staggering 25 percent on average for 2017. That is a 25-percent premium increase for just 1 year. How many working families can afford a 25-percent increase in their healthcare premiums for 1 year?

Things are even worse in some States. Seven States saw an average premium increase of more than 50 percent for 1 year. It is no surprise that many people who have ObamaCare insurance have found they can't afford to actually use their plan. Well, Democrats can talk about coverage all they want, but coverage doesn't mean much if you can't afford to actually take advantage of it.

It is time to give the American people some relief. Over the next few weeks, Congress will continue with the process of repealing and replacing ObamaCare. Our priority is replacing ObamaCare with personalized, patient-centered healthcare that is affordable for every American. ObamaCare was supposed to lower healthcare costs for Americans, but it has spectacularly failed to do so. Our reform efforts will focus on keeping healthcare affordable, including increasing competition, expanding innovation, and increasing flexibility.

ObamaCare has defaulted to a one-size-fits-all solution when it comes to healthcare. That means that many Americans have found themselves paying for healthcare that they don't need or want.

We need much more flexibility in insurance plans. A thriving healthcare system would offer a wide variety of choices that would allow Americans to pick a plan that is tailored to their needs. We also need to give Americans the tools to better manage their healthcare and to control costs. Along with keeping healthcare affordable, we are going to focus on restoring decisionmaking power to the American people.

ObamaCare has put Washington bureaucrats in charge of healthcare decisions that should be made by individuals in consultation with their doctor. We are going to move control away from Washington and give it back to individuals. We are also going to ensure that States have the power to innovate and embrace healthcare solutions that work for individuals and employers in their States.

Our healthcare system wasn't perfect before ObamaCare—nobody is denying that—but ObamaCare has just made things worse. The American people are ready for healthcare reform that actually works, and that is exactly what Republicans are going to give them.

#### NOMINATION OF NEIL GORSUCH

Madam President, in addition to healthcare reform, another Republican

priority for this spring is confirming Judge Neil Gorsuch to the Supreme Court. The Judiciary Committee will hold hearings on his confirmation beginning March 20, and I am hopeful Judge Gorsuch will be confirmed not too long thereafter. President Trump made an outstanding choice when he chose Judge Gorsuch for the Supreme Court.

Judge Gorsuch has a distinguished resume. He graduated with honors from Harvard Law School and received a doctorate from Oxford University where he was a Marshall Scholar. He clerked for two Supreme Court Justices, Byron White and Anthony Kennedy, and he worked in both private practice and at the Justice Department before being nominated to the Tenth Circuit Court of Appeals, where he served with distinction for the last 10 years.

He is widely regarded as a brilliant and thoughtful jurist and a gifted writer whose opinions are known for their clarity. Above all, however, he is known for his impartiality, for his commitment to following the law wherever it leads, whether he likes the results or not. "A judge who likes every outcome he reaches is very likely a bad judge," Judge Gorsuch has said more than once. Why? Because a judge who likes every outcome he reaches is likely making decisions based on something other than the law, and that is a problem. The job of a judge is to interpret the law, not write it, to call the balls and strikes, not to rewrite the rules of the game.

Everyone's rights are put in jeopardy when judges step outside their role and start changing the law to suit their personal opinions. Judge Gorsuch's nomination has been met with acclaim from conservatives, and it has also been met with acclaim from liberals. I think one of the biggest reasons for that is because both groups know Judge Gorsuch can be relied on to judge impartially.

Here is what Neal Katyal, an Acting Solicitor General, had to say about Judge Gorsuch: "His years on the bench reveal a commitment to judicial independence—a record that should give the American people confidence that he will not compromise principle to favor the president who appointed him."

The Colorado Springs Gazette recently highlighted a letter signed by 96 prominent Colorado lawyers and judges and sent to the senior Senator from Colorado. Here is what those individuals had to say about Judge Gorsuch in that letter:

We hold a diverse set of political views as Republicans, Democrats, and Independents.

Many of us have been critical of actions taken by President Trump. Nonetheless, we all agree that Judge Gorsuch is exceptionally well-qualified to join the Supreme Court. We know Judge Gorsuch to be a person of utmost character. He is fair, decent, and honest, both as a judge and a person. His record shows that he believes strongly in the independence of the judiciary.

Well, that is a pretty significant tribute. Again, those weren't just conservatives speaking.

Given Judge Gorsuch's character, his sterling record, and deep commitment to impartiality and the rule of law, it is no surprise that his nomination has won support from liberals and conservatives alike or that the American people are liking what they see when it comes to Judge Gorsuch.

Well-known Democratic pollster Mark Penn recently noted that Judge Gorsuch is "off to an excellent start in his nomination process." Unfortunately, there are still far-left extremists who would like to see Democrats in the Senate attempt to block Judge Gorsuch's confirmation, but I am hopeful that my colleagues will ignore these voices for obstruction and, instead, listen to the many voices—liberal and conservative—that are highlighting just why Judge Gorsuch would be an outstanding addition to the Supreme Court.

I recently met with Judge Gorsuch, and I could not have been more impressed. I look forward to hearing from him again at his confirmation hearings, and I hope the Senate will act to confirm him shortly thereafter. He is the kind of judge all of us should want on the Nation's highest Court.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. SCHUMER. Madam President, I rise to echo the concerns expressed by my colleague from Florida, BILL NELSON, about the White House's refusal to provide written testimony relevant to Mr. Ross's nomination prior to the vote this evening.

Mr. Ross was a key economic adviser to the Trump campaign, and he has had business ties with the Bank of Cyprus, a bank with significant Russian investors. I understand that the Commerce, Science, and Transportation Committee, of which my friend from Florida is the ranking member, sent a letter to Mr. Ross to get more information about those ties. That is a perfectly reasonable request, especially given the circumstances. This information is particularly relevant to the Senate since, in recent days, questions about connections between the Trump administration and Russia have proliferated.

While Mr. Ross told my friend from Florida that there is nothing to worry about, the White House is sitting on Mr. Ross's written response to Senator NELSON's letter. So the Senate will not get written answers to these important questions before voting on this nomination.

This is just another example of this administration's abandoning trans-

parency and trying to jam nominees through without making all of the relevant information public and available. They have not enjoyed a good few weeks with these nominees. They have gotten them through but with a lot of pain and a lot of public disconcert, and here we have another example.

We are getting to the end of the Cabinet nominees—a nominee with ties to Russia. There is a document that states what they are. As is so typical of this administration, which stonewalls and despises transparency, they do not let the letter be freed and be made available until after the vote on a sensitive issue and one that is important to national security—Russia and this administration's relationship to it. This is another black mark on this Nation's administration.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. THUNE. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Under the previous order, all postcloture time has expired.

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

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

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

The result was announced—yeas 72, nays 27, as follows:

[Rollcall Vote No. 73 Ex.]

YEAS—72

Alexander	Ernst	Murkowski
Barrasso	Feinstein	Nelson
Bennet	Fischer	Paul
Blunt	Flake	Perdue
Boozman	Gardner	Peters
Brown	Graham	Portman
Burr	Grassley	Risch
Capito	Hassan	Roberts
Carper	Hatch	Rounds
Casey	Heitkamp	Rubio
Cassidy	Heller	Sasse
Cochran	Hoeben	Schatz
Collins	Inhofe	Scott
Coons	Johnson	Shaheen
Corker	Kaine	Shelby
Cornyn	Kennedy	Strange
Cortez Masto	King	Sullivan
Cotton	Klobuchar	Tester
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	McCain	Toomey
Donnelly	McCaskill	Warner
Duckworth	McConnell	Wicker
Enzi	Moran	Young

NAYS—27

Baldwin	Heinrich	Reed
Blumenthal	Hirono	Sanders
Booker	Leahy	Schumer
Cantwell	Manchin	Stabenow
Cardin	Markey	Udall
Durbin	Menendez	Van Hollen
Franken	Merkley	Warren
Gillibrand	Murphy	Whitehouse
Harris	Murray	Wyden

NOT VOTING—1

Isakson

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Colleagues, let me just say, this next vote will be the last vote of the evening.

Mr. President, I move to reconsider the vote on the nomination, and I move to table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to table.

The motion was agreed to.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of RYAN ZINKE, of Montana, to be Secretary of the Interior.

Mitch McConnell, Roger F. Wicker, John Boozman, Orrin G. Hatch, Roy Blunt, Steve Daines, Tim Scott, Chuck Grassley, John Hoeven, Michael B. Enzi, John Barrasso, John Thune, Mike Rounds, Mike Crapo, James M. Inhofe, Joni Ernst, John Cornyn.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of RYAN ZINKE, of Montana, to be Secretary of the Interior shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. WYDEN (when his name was called). Present.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The yeas and nays resulted—yeas 67, nays 31, as follows:

[Rollcall Vote No. 74 Ex.]

YEAS—67

Alexander	Cornyn	Gardner
Barrasso	Cortez Masto	Graham
Bennet	Cotton	Grassley
Blunt	Crapo	Hatch
Boozman	Cruz	Heinrich
Burr	Daines	Heitkamp
Capito	Donnelly	Heller
Cassidy	Enzi	Hoeven
Cochran	Ernst	Inhofe
Collins	Feinstein	Johnson
Coons	Fischer	Kaine
Corker	Flake	Kennedy

King	Paul	Sullivan
Lankford	Perdue	Tester
Lee	Portman	Thune
Manchin	Risch	Tillis
McCain	Roberts	Toomey
McCaskill	Rounds	Udall
McConnell	Rubio	Warner
Moran	Sasse	Wicker
Murkowski	Scott	Young
Murphy	Shelby	
Nelson	Strange	

NAYS—31

Baldwin	Gillibrand	Reed
Blumenthal	Harris	Sanders
Booker	Hassan	Schatz
Brown	Hirono	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Stabenow
Carper	Markey	Van Hollen
Casey	Menendez	Warren
Duckworth	Merkley	Whitehouse
Durbin	Murray	
Franken	Peters	

ANSWERED "PRESENT"—1

Wyden

NOT VOTING—1

Isakson

The PRESIDING OFFICER. On this vote, the yeas are 67, the nays are 31. One Senator responded "present."

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of RYAN ZINKE, of Montana, to be Secretary of the Interior.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

CONFIRMATION OF WILBUR ROSS

Mr. LEAHY. Mr. President, today Mr. Ross joins the growing list of billionaires appointed by the Trump administration. It is not their wealth that concerns me, but their past conflicts with the agencies they are promoted to lead and support, providing guidance for policy and for administration of the laws. It is for this reason I cannot support Mr. Ross today.

Every American has a stake in the strength of our economy. We rely on the Department of Commerce to facilitate trade, investment, and innovation in a direction that ensures long-term benefits for Americans. Today while the wealthiest among us continue to profit, middle class families are working long hours to pay their bills and put food on their tables. The cost of living is outstripping their family budgets, and we must get ahead of this curve.

Mr. Ross has a background of buying fledging companies, and while he might turn around the profit margins of those

companies, it is at the cost of American jobs. He has been called fair and practical, but has also committed his career in business by expanding in low-cost countries like Mexico and China. The economic policies of this country cannot be built on representing the interests of rich investors, but must also be creative in spurring job growth in American communities where industry has disappeared. We can shape our global trade policy in ways that benefit the United States, without having to do so under the assumption that the United States needs to operate in isolation in order to realize economic success. We can build industry at home, while partnering abroad in trade for our products. But it will take the commitment of the next Secretary to focus on our human capital as innovators and not as mere cost considerations.

Although America's role in the global market is expanding, our closest trade partner remains across our northern border. Each year, we export hundreds of billions of dollars' worth of goods and services to Canada, making it our largest export market in the world. Vermont is an active contributor to this flow of commerce. Supporting initiatives that strengthen this partnership will benefit local businesses in Vermont and across the Nation. Mr. Ross wants to renegotiate the North American Free Trade Agreement, and while we can debate the merits of NAFTA, the talk of renegotiating this agreement without the partnership of Mexico and Canada has many Vermont businesses concerned about the implications for their future and for the Vermont jobs that depend on our export markets.

We live in a global economy, and I work with Vermont businesses every day who rely on importing goods and materials in order to successfully create a final products that are a combination of U.S. and foreign made. This is the reality for many businesses today. I do not criticize the decisions a businessowner makes for the quality of their product. But every large corporation makes a choice between cheaper overseas labor and materials or investing in the workforce here at home for greater gains in the future. That is a choice that Mr. Ross has made on several occasions for the benefit of profits not workers.

I have said it time and again, but America thrives when our middle class is strong. As Secretary, Mr. Ross will be expected to represent the interests of all Americans. I hope he takes this commitment seriously and works across party lines to create new industry and opportunity that take root in the very communities that suffer from lack of it. The Secretary of Commerce cannot look at individuals as statistics of profit or loss, but must understand the innovative spirit that brings opportunity where it may otherwise be lost.