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## Senate

The Senate met at 3 p.m. and was called to order by the Honorable TODD YOUNG, a Senator from the State of Indiana.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, who inhabits eternity, whose throne is Heaven and whose footstool is the Earth, You have given us the gift of this day, and we will rejoice and be glad in it.

May our lawmakers never forget that they borrow their heartbeat from You. Continue to sustain them and give them all that they need to glorify Your Name. May Your Spirit move them that they will make concessions without coercion and be conciliatory without compromising. Compel them to be just and honest in all their dealings. May they remember that our country is no better than its citizens and no stronger than its commitment to righteousness. Lord, bless our Senators in their going out and coming in, their rising up and lying down, their labor and their leisure.

We pray in Your loving Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The bill clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, January 30, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TODD YOUNG, a Senator from the State of Indiana, to perform the duties of the Chair.

ORRIN G. HATCH,  
President pro tempore.

Mr. YOUNG thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### STREAM BUFFER RULE

Mr. McCONNELL. Mr. President, for too long, coal communities in States like Kentucky were unfairly targeted by the Obama administration as part of its War on Coal. We now have the opportunity to start providing relief to coal families, whose only crime was working to support their loved ones. Easing the pain of these regulations is a priority. I laid it out in a letter to President Trump earlier this year. That letter was a continuation of efforts I began several years ago to push back against the previous administration's assault on coal families. I am pleased the President has already begun taking steps to provide relief from several different regulations imposed by the former administration, regulations that for too long have stifled growth and held our country back.

Together, we can do more, including right here in Congress through the Congressional Review Act or CRA process. One of the first regulations we are working to address is the so-called stream buffer rule, a harmful regulation put into place by the Obama administration at the eleventh hour. One analysis estimates that it could threat-

en one-third of the Nation's coal-mining jobs—one-third. That is why so many across coal country have called for relief from this harmful attack.

We have heard individual voices against this regulation. We have heard union voices in opposition, like the United Mine Workers of America, and we have heard from groups like the Kentucky Coal Association, who recently wrote to me about its negative impact. Here is what they said:

The undeniable truth is that this rule will have a real impact on the real world. It will cause real harm to real people who support real families in real communities.

This regulation is an attack on coal families. It jeopardizes jobs and transfers power away from States and local governments. Today, I am introducing a bipartisan resolution to overturn it.

Congress will also continue acting to provide relief from other regulations that attack our economy and our constituents. In fact, the House will act on its own version of this Congressional Review Act resolution and several others this week. I urge our friends to do so quickly so we can pass them here in the Senate and start providing relief to our coal communities, to our national economy, and to our constituents.

### NOMINATIONS

Mr. McCONNELL. Mr. President, the Senate will continue working to put into place President Trump's Cabinet, and tonight we will have a cloture vote on the nominee for Secretary of State. This nominee is well qualified. He has been a leader at one of America's largest employers, and he has the type of international work experience that will serve him well as our next Secretary of State. We are looking forward to advancing his nomination tonight.

Remember, it is in everybody's best interest to confirm each of the President's well-qualified nominees in a timely manner so they can begin the very important work before them on

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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S461

matters of national security, the economy, health care, and so many others.

It is also in our Nation's best interests to confirm the next Supreme Court nominee, which the President has said he intends to announce tomorrow. Justice Antonin Scalia was a towering figure on the Supreme Court. His unfortunate passing was not only a great loss to our country, but it came, as we all know, as our country was already in the midst of a contentious Presidential election process. So in keeping with the Biden rule, which states that action on a Supreme Court nomination must be put off until the election campaign is over, I have stood firm on the principle that the American people should have a voice in the selection of the next Supreme Court Justice. I consistently maintained that the next President would fill this vacancy. I held to that view even when nearly everyone thought the President would be Hillary Clinton. Our friends on the left may lack the same consistency on this topic. The principle we have followed, after all, is not only known as the Biden rule but also the Schumer standard.

But there is one thing from which we can expect the left not to waiver: trying to paint whoever is actually nominated in apocalyptic terms. It does not matter whom this Republican President nominates. It does not matter whom any Republican President nominates really. The left has been rolling out the same tired playbook for decades.

When the Republican President was George Herbert Walker Bush, groups on the left said the record of his first Supreme Court nominee was "disturbing" and "very troubling" and that his opinions "threaten to undo the advances made by women, minorities, dissenters and other disadvantaged groups." That is what the left said about President Bush 41's first nominee. Who was it? David Souter.

When the Republican President was Ronald Reagan, groups on the left also said that the record of one of his nominees was "troubling." They even called him a "sexist" and said he "would be a disaster for women" if confirmed. The nominee in question? Anthony Kennedy.

When the Republican President was Gerald Ford, the left said that they had "grave concern with his Supreme Court nominee" and that the record of this nominee "revealed an extraordinary lack of sensitivity to the problems women face." In fact, they said he was disqualified from being a member of the Supreme Court of the United States because of his consistent opposition to women's rights. Who was the nominee they were referring to? John Paul Stevens.

I am serious. That is what they said about John Paul Stevens, David Souter, and Anthony Kennedy.

So we can expect to hear a lot of end-times rhetoric from the left again today. In fact, we already have. The

same groups on the left that always seem to say the sky is falling when a Republican President puts forward a Supreme Court nominee are saying it is falling again. Only this time, they are saying it before we even have a nominee. We don't even have a nominee yet.

President Trump has a list of about 20 Americans he is considering nominating to the Supreme Court. These men and women have different professional backgrounds, different life experiences. Some have distinguished themselves in State courts; others have distinguished themselves in Federal Court. Some are appellate court judges; others are trial court judges. Some passed the Senate without a single negative vote against their nomination; others passed the Senate without requiring a rollcall vote at all on their nomination.

The bipartisan support, the years of judicial experience, the impressive credentials—none of these appear to matter to some on the left. They say things like "We are prepared to oppose every name on the list." That is right. Every single name on the list they have already announced opposition to. Even more troubling, some Senate Democrats are saying the same thing. My friend from New York said it was hard for him to imagine a nominee from President Trump whom Senate Democrats could support. We don't even have one yet.

I hope we can all skip past that and get down to our serious work. The election is now behind us. The President has been working to make his decision on a nominee. We expect him to announce that decision tomorrow. The Senate should respect the results of the election and treat this newly elected President's nominee in the same way the nominees of other newly elected Presidents have been treated; that is, with careful consideration followed by an up-or-down vote.

We had two nominations in the first term of President Clinton: Ginsburg and Breyer. Both got up-or-down votes. There was no filibuster. We had two nominations in the first term of President Obama: Sotomayor and Kagan. No filibuster. Up-or-down votes. First-term Presidents. We have every right to expect the same courtesy from today's minority when we receive this nomination tomorrow.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

#### TRAVEL BAN

Mr. SCHUMER. Mr. President, I rise this afternoon, like much of America, angry and perturbed but in resolute opposition to the President's Executive order issued on Friday. This Executive order was mean-spirited and un-Amer-

ican. It made us less secure. It put our troops in the field at increased risk. It was implemented in a way that caused chaos and confusion across the country. It must be reversed immediately. Let me give three reasons why.

First, it ought to be reversed because it will not make us safer, as the President argues. It will make us less safe.

The President's Executive order targeted seven Muslim-majority countries. Not one terrorist attack has been perpetrated on U.S. soil by a refugee from one of these countries—not one. Moreover, it could alienate and inflame the communities we need most in the fight against terrorism.

As my friend Republican Senator JOHN MCCAIN noted, it could increase the small number of lone wolves, which pose the greatest threat of terrorism. Both the San Bernardino and Orlando attacks were done by lone wolves, American citizens importuned by the evil ISIS. This rule would have nothing to do with that.

As my friend JOHN MCCAIN has noted, it could increase the small number of lone wolves, which pose the greatest threat of terrorism. As both Senators MCCAIN and GRAHAM expressed yesterday, this order is a valuable propaganda tool for ISIS. We saw that happen today. They predicted it yesterday, MCCAIN and GRAHAM. It happened today. They want nothing more than to paint the United States as a country at war with all of Islam. This order feeds right into the perception ISIS and other extremists want to create. The bottom line is, the policy will make us less safe, not more safe.

Second, while there is no way to defend the order, it was poorly constructed and even more poorly executed. The order was signed into effect without the consultation of the Federal agencies that are responsible for enforcing it: the Department of Justice, the Department of Homeland Security, or the Department of State, and possibly others.

People across America saw utter chaos and confusion that resulted in our airports over the weekend. The people in charge of implementing it weren't even told about it. Folks were caught in detention at airports around the country, young children separated from their mothers, husbands from their wives, green card holders and legal residents being denied the right to see an attorney. Some folks were pressured into signing away their permanent legal status. We are looking into that right now.

It raises serious doubts about the competence—the basic competence—of the new administration when such an important order is so poorly vetted and executed, just like some of their Cabinet nominations. Such a far-reaching and impactful Executive order should have gotten extreme vetting. Instead, it was rushed through without much thought or deliberation. I could not disagree more with the intention behind the order, but the haphazard and

completely incompetent way in which it was implemented made matters even worse.

Third, and most important of all, the order should be reversed because it is un-American. We are a nation founded by the descendants of asylum seekers, a nation that has been constantly invigorated, replenished, and driven forward by immigrants, many millions of whom came under duress, seeking a new birth of freedom in America. The ability to find refuge from persecution, whether based on one's religion or race or political views, goes to the very foundation of the country, starting with the Pilgrims and Plymouth Rock. The Executive order is antithetical to everything we are about.

President Trump seems to want people to believe that all immigrants are terrorists or criminals, but when you meet immigrants, you see they are not the face of terrorism; they are families just like ours. Yesterday I met two. They were at my office. Mr. Hameed, an Iraqi refugee, worked at a local university department in English literature and, because he loved our country and what we were trying to do, he chose to use his language skills to be a translator for American soldiers in Iraq. He worked as a translator for the U.S. Army in Iraq for 10 years. He endured death threats and harassment to himself and to his family because he was helping us and our soldiers. So he began the refugee process about 2 years ago.

He arrived on January 5. If Donald Trump had been inaugurated on January 1 and enacted his order 6 weeks sooner, Mr. Hameed would have had to stay in Iraq. His life would have been threatened for cooperating with our military.

What kind of message does this send to the untold millions of people just like Mr. Hameed throughout the Muslim world who today will be less likely to work for and with our great country?

Then I met the Elias family. They were a different type. They have four children. They arrived here a month ago. Their journey to the United States began 5 years ago from war-torn Syria. After surviving the brutal civil war, where suicide bombs had been blowing up in front of their house, they were finally reunited with their family in the Bronx. You see, the driving force that brought them here were two American citizens, their grandparents. Mr. and Mrs. Elias came in around 1970.

They are model Americans, the Eliases. I met them. I talked to them. I enjoyed talking to them. Mr. Elias started out as a tailor, a skill that is disappearing. We don't have too many tailors left in America. He is an entrepreneur, like so many immigrants, and he started a small business. He now refurbishes the interior of boats mainly on City Island over there in the Bronx. I have been there. It is a beautiful place.

Well, he wanted to bring his people, his kids and grandchildren, here be-

cause their lives were threatened. They came again a month ago. I met the little boy, a beautiful little boy, a red-headed Syrian refugee.

I said: What do you want to be when you grow up?

A policeman.

I asked the daughter: What do you want to be?

A doctor.

The Elias family and their young children are not a threat to America; they are the promise of America, the same types of people, Mr. President, as your ancestors and mine who came here seeking a better life and working so hard for it.

It is my guess, if President Trump met these refugees, Mr. Hameed and the Elias family, he wouldn't be so hard-hearted.

Our country has a grand and proud tradition of welcoming families like these with open arms. America is at her best when she is a safe harbor in a world of stormy seas.

I urge my Republican colleagues to help us overturn this wrongheaded, counterproductive, dangerous, and un-American Executive order. So many of you know it is wrong. I understand party loyalty. I do. But what this order does is go against the grain that there are higher values at stake.

Eleven of my colleagues on the other side of the aisle have expressed reservations already. I urge them and others to back up their words with action. Let's repeal the order, then sit down and thoughtfully and carefully construct a better way to keep our country safe from terrorism.

President Obama toughened up vetting. If there is more vetting that has to be done, we will be happy to look at it and work with you on it but not something like this.

At 5:15 today, I will be asking unanimous consent to call for a vote on a bill offered by my friend from California Senator FEINSTEIN, the ranking Democrat on the Judiciary Committee, to overturn the order, and I hope our Republican colleagues will join us.

As proponents of this legislation, we believe it shows strength.

Proponents of the order say it shows strength, but it is not true; it is not true. Let me explain why. My middle name is Ellis; Charles Ellis Schumer. I was named after my uncle Ellis, who was named for Ellis Island. My daughter's middle name is Emma. We named her for the poet Emma Lazarus, whose timeless words adorn the base of the Statue of Liberty: "Give me your tired, your poor, your huddled masses yearning to breathe free."

The Statue of Liberty is a symbol of our Nation. Around the world, people recognize it, that mighty beacon that I can see from my home in Brooklyn, and they know we are a nation whose might comes not only from our great military but from our morality, whose leadership—our country's leadership is demonstrated not by projecting a fear of outsiders but by inspiring them in a

hope for a better life here in America. Our country is a country whose strength comes from its values, and among them is a commitment to be that golden door that Emma Lazarus spoke about, a shelter, a commitment to shelter the oppressed and the persecuted.

Just as we faced down and defeated the threat of communism with our values—a respect for the rule of law, for equality under the law, for free markets and free societies—we must face down the twin threats of terrorism and jihadism, not only with military strength, as important as that is, but also with our values: religious freedom, tolerance, decency.

Our greatest weapon will always be our values. That is what makes us strong. They are "a new colossus," as Emma Lazarus called it over 100 years ago.

The only way we will lose the war against terrorism is if we lose ourselves and retreat from our values. Not only will this Executive order embolden and inspire those around the globe who wish to do us harm, it strikes against the very core of America, our values, our greatest strength. We are better than this. So I will fight with every fiber of my being until this Executive order is gone.

#### NATIONAL SECURITY COUNCIL

Mr. SCHUMER. Mr. President, on Friday, the President reshuffled the National Security Council to remove permanent postings for the Chairman of the Joint Chiefs of Staff and the Director of National Intelligence and installed a permanent seat for White House Political Adviser Steve Bannon. It is a disturbing and profound departure from past administrations.

On the most sensitive matters of national security, the President should be relying on the informed counsel of members of the military and intelligence agencies, not political advisers who made their careers promoting a White nationalist Web site.

The Chairman of the Joint Chiefs of Staff is the President's primary military adviser, and his voice, along with that of the Director of National Intelligence, are the only independent, apolitical voices. President Trump's move to strip them of their seats is baffling. It endangers our national security and is contrary to the spirit and intent of the National Security Act.

This morning, Gen. Michael Hayden—I can't think of a more respected general and intelligence leader. He has served bipartisanship, the Clinton, Bush, Obama administrations. He said that the move—and these are his words, not mine, General Hayden's—"puts ideology at the center over the professional kind of information that the DNI and the Chairman of the Joint Chiefs bring to the party."

That is a deeply disturbing thought. It reinforces this administration's preference to propagate its own reality, rather than grapple with the facts on the ground, and if that continues, America is going to have real trouble.

It is one thing when it comes to a dustup about the size of the inauguration crowd; it is an entirely different story when it is the most sensitive activities undertaken by our Nation's government.

Much like the Muslim ban, this decision was poorly thought out and ill-conceived. It has put a filter on the information going to the President and, like the Executive order, makes us less safe.

Mr. President, I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that my 10 minutes be extended to 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The remarks of Mr. INHOFE pertaining to the introduction of S.J. Res. 9 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. INHOFE. I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### TRAVEL BAN

Mr. SCHATZ. Mr. President, in just a few weeks, our great country will mark the 75th anniversary of President Roosevelt's Executive order authorizing the internment of hundreds of thousands of Japanese, German, and Italian Americans during World War II. They were rounded up with their families and held behind barbed wire like war criminals. But they had done nothing wrong; their crime was being Japanese, German, or Italian. They were labeled "enemy aliens."

Mark Twain reportedly said that history doesn't repeat itself, but it does rhyme, and this seems to be the path the President has pursued with his Muslim ban. This ban has already harmed green card holders, students, business people, and those fleeing violence and persecution. Remember, these are the people fleeing the vio-

lence, not the perpetrators of the violence. They are the victims, not the criminals. They have been pulled from their flights, left stranded in the airports. They have been detained without the ability to talk with a lawyer. And they are wondering if the United States of America is still the beacon of hope, the lamp by the golden door, the shining city on the hill.

Iraqis who risked their lives to serve our country as translators saw their visas revoked. An 11-month-old baby was detained. That is disgusting. It is un-American. It is contrary to everything we stand for.

We stand for providing refuge for those who want to escape their own awful circumstances and live in freedom and opportunity. It is my grandparents escaping Ukraine. It is my wife's grandparents leaving China. It is the Schatzes. It is the Binders. It is the Kwoks. It is Albert Einstein. It is Madeleine Albright. This is who we are. We are people from all over the world. We are united not by our ethnic extraction or religious affiliation but tied together by our love for America.

Here is the thing: It is not even as though we are trading liberty for security. We are getting no additional security. This is all about being cruel to Muslims because it is good politics for some people.

This isn't just morally wrong, it is also guaranteed not to work. This ban is ridiculous as a homeland security measure.

First, zero people from the countries on the ban list have been involved in terrorist attacks in America. Zero people from the countries on the ban list have been involved in terrorist attacks on America. It is almost as though the criteria for picking the countries is something other than the threat of terrorism.

Second, this ban has the potential to strengthen violent extremist groups by playing right into their hands. It encourages everyone to be afraid of people we don't know from other places. That is not America, and it will not work.

When President Gerald Ford repealed the Executive order internment Japanese Americans, he asked citizens across the country to make a pledge. He said: "I call upon the American people to affirm with me this American promise—that we have learned from the tragedy of that long-ago experience forever to treasure liberty and justice for each individual American, and resolve that this kind of action shall never again be repeated."

That promise is being broken. It is broken for the American who came to this country as a lost boy from Sudan and who now cannot see his family. It is broken for the American married to an Iranian, whom the government is splitting from her husband. It is broken for the millions of Americans, the majority of us, who want us always to have the moral high ground.

The world is watching. History is watching. We have to ask ourselves:

What do they see? Do they see Lady Liberty or do they see something darker? The choice is ours. We can fix this.

We start by following the wise words of Fred Korematsu, an outspoken voice against Japanese internment and an American hero who was born 98 years ago today.

He said: "Protest, but not with violence, and don't be afraid to speak up."

Today I call on every Member of the Senate to follow Mr. Korematsu's advice. Speak up, stand against this ban, and fight chaos and paranoia as official government policy.

I yield the floor.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. CAPITO. 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.

(The remarks of Mrs. CAPITO pertaining to the introduction of S.J. Res. 10 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### NOMINATION OF SCOTT PRUITT

Mrs. CAPITO. Madam President, the Environmental Protection Agency, which bears most of the blame for regulations targeting energy jobs, is in dire need of a change of direction. The EPA under the Obama administration was unwilling to engage the people of West Virginia in public listening sessions or hearings about decisions that directly impacted our State's economy, and I have described what the result of that has been.

This failure to effectively engage resulted in a number of job-killing regulations, like the utility MATS rule for powerplants, the so-called Clean Power Plan, and the waters of the U.S. rule.

As the Presiding Officer knows, the waters of the U.S. rule is something that impacts not just mining but also agriculture, construction, and it really has far-reaching implications.

Scott Pruitt, who is President Trump's nominee to become the EPA Administrator, has gone through a thorough review process by the Environment and Public Works Committee. At Attorney General Pruitt's confirmation hearing, Senators from both parties were permitted to engage in as many as four rounds of questioning, and some of them were pretty tough. After the hearing, Attorney General Pruitt answered 1,078 questions for the RECORD. Combining both the hearing and the followup questions, Attorney General Pruitt answered more than 1,200 questions from our committees.

Through the process, Attorney General Pruitt has shown himself to be a person who cares about applying our environmental laws as they were written and intended by Congress. He has a

strong record of enforcing environmental statutes in a balanced way and ensuring clean air and clean water without unnecessarily sacrificing jobs or economic growth.

Attorney General Pruitt has been clear that he will work with State regulators and listen to the views of individuals who will be most heavily impacted by EPA's regulatory decisions.

I believe Attorney General Pruitt will keep his word and provide a refreshing change and direction for West Virginia coal miners, natural gas workers, manufacturers, farmers, and, indeed, for all of our communities struggling from the effects of overregulation.

I look forward to supporting Attorney General Pruitt's nomination in the EPW Committee, which will come before the committee on Wednesday morning, and I look forward to seeing him confirmed on the Senate floor soon.

Madam President, 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. GRASSLEY. 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. GRASSLEY. Madam President, I ask unanimous consent to speak for 15 minutes.

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

(The remarks of Mr. GRASSLEY pertaining to the introduction of S.J. Res. 14 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

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

#### NOMINATION OF REX TILLERSON

Mr. CARDIN. Madam President, shortly we are going to be taking up the cloture motion in regard to the confirmation process of Mr. Tillerson to be the Secretary of State for our country. I had the opportunity, as the ranking Democrat on the Senate Foreign Relations Committee, to meet with Mr. Tillerson. I had a chance to talk with him concerning his vision for America. I participated in a lengthy committee hearing, where not only I had a chance to ask him questions but every member of the committee had a chance to ask questions and then had the opportunity to present questions for the RECORD and look at his responses to questions for the RECORD.

I wish to say, at the outset of this debate before the U.S. Senate, Mr. Tillerson is a successful businessperson. I am certain he has great negotiating skills, as he has shown as the CEO of ExxonMobil, and I think that is an important ability to have if he were confirmed as Secretary of State.

I do think he wants to serve our Nation, and he has put forward his ability to serve as Secretary of State for the right reasons. However, I have serious reservations, as a result of this process, this confirmation process, that leads me to the conclusion that I cannot support his nomination, and I will be voting against his nomination. I wanted to at least start this debate by giving some of the reasons I will not be supporting Mr. Tillerson to be the Secretary of State.

Mr. Tillerson's business orientation and his lack of moral clarity to questions that were asked during the confirmation hearing, to me, compromises his ability to forcefully promote the values and ideals that defined America's leading role in the world for more than 200 years. When I am referring to the values, they are the values of good governance, the values of standing up for human rights, the values of speaking up for a free press, the values of recognizing the importance of civil societies, which is lacking in so many places around the world.

When Mr. Tillerson was asked the question as to how he would characterize what Russia is doing in Syria in supporting a regime that has attacked humanitarian convoys, whether that should be considered as war crimes, Mr. Tillerson was less than clear as to how he would characterize Russia's conduct in Syria.

When I asked Mr. Tillerson how he would characterize Philippine President Duterte's extrajudicial killings—this is a President who has authorized individuals to be killed on site without judicial process, which has been well-documented—whether that was a gross violation of human rights, Mr. Tillerson was less than clear as to whether that in fact would elevate to a serious human rights violation.

When I asked the question, whether under any circumstances we could have a national registry for any group of religious or ethnic minorities in America, his answer was not as clear as I would have hoped it to be. The answer should have been a simple "no," but he did not give that answer in that moral clarity.

For all those reasons, I have serious concern as to whether he will speak with a strong voice on American values or whether that will be compromised for narrow business interests or for other considerations that should not take priority to the values that have made America the great Nation it is.

I was concerned about this before what has happened in recent days, but when I take a look at President Trump's first 10 days in office and I look at the Executive orders he has

issued as President of the United States, it is even more critical that the next Secretary of State speak with moral clarity as to the values of America.

The gag order that was reimposed by President Trump wasn't the same gag order that other administrations have imposed. It is far broader and could prevent U.S. participation with health workers around the world to stop the spread of HIV-AIDS or to deal with the Zika virus or to deal with issues concerning global health issues, maternal health. I want someone, as Secretary of State, to say that America stands for providing the leadership we need on global health issues.

More recently, when President Trump announced his Mexican policy; that it would build a wall, he not only asked the taxpayers to pay for it once but to pay for it twice, to build the wall, which almost anyone will tell you will not work. We do have tunnels that we already know could go under walls. It will be expensive, but he is also asking Americans to pay for it twice because he is going to impose a tariff, at least that is under consideration, that middle-income families will end up paying—starting a trade war with Mexico. And why? Why would you start this? Mexico is working with us to stop illegal immigration. They are working with us to stop the illegal trafficking of drugs. They are working with us to build a regional, natural economy that benefits both countries. Why would we pick a fight with our neighbor? It makes no sense whatsoever.

The last thing that was done over this weekend points out even more clearly why we need a Secretary of State who will speak with moral clarity, and that was this outrageous, reckless, and dangerous Executive order that would ban certain individuals from coming to America. It would put a hold on our refugee program and would establish a religious test for people coming to America—a Muslim ban. That is not what America stands for.

I believe that Executive order is illegal. I know that Executive order will put Americans at risk. I would like to know from our Secretary of State how he, if he is confirmed, would respond when other countries ask: Why should we help you when you will not allow people from Muslim countries the right to visit your country? Why should we give you that information? How will Americans, who are traveling abroad, be treated? It puts all at risk. Our next Secretary of State has to have that credibility to deal with other countries with moral clarity. Time and time again, when confronted with questions, Mr. Tillerson was not clear.

Let me give you one example that may sum up my concern on his moral clarity issues, and that is with Russia. We had asked several times whether he would support the existing sanctions, would he support stronger sanctions. After all, the sanctions were put on because Russia invaded Ukraine. They

are still there. They are still in Crimea. They are still interfering with eastern Ukraine. Unless they comply with the Minsk agreement, our European allies are looking for America to say no way would we ever weaken our sanctions as long as Russia is violating its commitment in Ukraine.

Since that, they have been doing other things. I already mentioned the war crimes they are committing in Syria, but they also attacked America. They attacked us through cyber, trying to bring down our democratic system of government, free elections. I would certainly have hoped Mr. Tillerson would have shown some compassion for increasing sanctions against Russia. Instead, we asked him a question about Cuba, and Mr. Tillerson was very clear when he talked about Cuba. He said: Look, if we do business with Cuba, we are allowing a repressive regime to have greater resources. Why would we want to support a repressive regime?

Mr. Tillerson didn't show the same concern about Russia. He has no compulsion at all about doing business with Russia, even though that business is allowing the Putin repressive regime to carry out their activities of attacks against our allies, attacks against us, interfere with what is going on in Syria, and to do all the activities they are doing. I would have hoped that we were seeing a greater sense of moral clarity from our Secretary of State nominee.

There are other issues I am concerned about. I know we will have a chance to talk about it if this issue is still on the floor tomorrow, as I expect it will be. We will have a chance to talk about issues regarding his quick use of military power versus diplomacy. We asked him several times about external events and how he will respond to them. His answer was too quick about using our military and not quick enough about using our diplomacy. The use of military must be a matter of last resort. I want to make sure our next Secretary of State is very sensitive to that particular issue.

Then we get to the concern about the ethical issues. I need to mention this because when we asked him questions about his knowledge of ExxonMobil, he was less than forthcoming to the committee, not aware of ExxonMobil's lobbying on certain issues, and very unclear about how its activities were in Sudan, Syria, Iran, and other countries that have horrible human rights records. And his willingness to recuse himself from anything affecting Exxon for 1 year, not for the entire length of term that he would be Secretary of State if confirmed by the Senate—he should not deal with ExxonMobil for the entire length of his time as Secretary of State. He is a person who has substantial wealth as a result of his working at ExxonMobil. None of us criticize him for that, but it disqualifies him from dealing with ExxonMobil.

We are going to be involved in a lengthy debate on the next Secretary of State, as we should, but I just wanted to share with my colleagues my concern about Mr. Tillerson and why I am opposing his nomination. And I would just indicate that I think the events particularly over the weekend with this immigration policy really point out the need for the next Secretary of State to be willing to stand strong for American values, and I have serious questions in that regard on Mr. Tillerson.

With that, I yield the floor.

THE PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Madam President, I am pleased to rise in support of the nomination of Rex Tillerson to serve as our next Secretary of State. The proceedings in the Foreign Relations Committee for his nomination were fair, exhaustive, and in the best traditions of our committee and the Senate. Mr. Tillerson completed all of his required paperwork expeditiously, having met or exceeded the pace set by former Secretary Hillary Clinton after she was nominated in 2008. He testified in a public hearing for more than 8 hours and afterward responded to over 1,000 additional questions for the record from committee members.

Opinions and votes today on Mr. Tillerson may differ, but there is no question that the committee and the Senate have fulfilled their constitutional responsibility in carefully reviewing his nomination.

As we proceed in ensuring that the new administration has the leaders it needs to implement our Nation's foreign policy going forward, I have great confidence that Rex Tillerson will serve the United States well.

In both my private meetings with him and in the hours of public testimony he offered before the Foreign Relations Committee, it has become clear that he will be an effective leader at the State Department. Mr. Tillerson has led an exemplary and honorable life. He has been at the same company for over 40 years. As an Eagle Scout, he served as the national president of the Boy Scouts of America.

Furthermore, the nonpartisan Director of the Office of Government Ethics recently stated that Mr. Tillerson is making a clean break from Exxon and has even gone so far as to say that Tillerson's ethics agreement serves as a sterling model for what we would like to see with other nominees.

Having managed one of the world's largest companies by revenue, with over 75,000 employees, there is no doubt in my mind that Rex Tillerson is well qualified to lead the State Department. I encourage all of my colleagues to support his confirmation and look forward to his service as our next Secretary of State.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Vermont.

TRUMP ADMINISTRATION, THE PRESS, AND RUSSIA

Mr. LEAHY. Madam President, Trump's Executive order banning Muslims from seven countries, none of which was a source of terrorists who have carried out attacks in this country, was un-American, arbitrary, inhumane, and it will likely spur an increase in violence targeting Americans. I will have plenty more to say about it and other reckless actions by this White House in the days and weeks ahead.

In the meantime, I want to say a few words about the bizarre back and forth between the Trump administration and the news media regarding attendance at the inauguration and who is telling the truth and who is not.

One might think that with all that is happening in the country and the world and the rush by the President to sign Executive orders that would dramatically affect the rights, and the priorities, of millions of Americans, the question of how many people were at the inauguration would not generate such controversy. But it turns out that this is about much more than that, as it goes to the heart of the role of a free press in this country and whether the American people can have confidence that the President is telling the truth.

We already knew that candidate and now President Trump is prone to bragging and making wildly unrealistic promises and inaccurate claims, many of which he later disavows. He frequently ignores or misstates basic facts and refuses to correct those falsehoods. So it was no surprise when he predicted that the crowd at his inauguration would be "an unbelievable, perhaps record-setting turnout."

It was also no surprise, as usually happens at inaugurations and large public demonstrations, that high-elevation photographs were used to estimate the number of participants. To anyone who attended both the Obama and Trump inaugurations, it was obvious that the number of people at President Obama's inauguration was far larger than at President Trump's inauguration, as photographs clearly showed.

President Trump, however, insisted the photographs were fabricated. The morning after the inauguration, he said he could see from the stage on the West Front of the Capitol that there were "a million" or "a million and a half" people on the Mall.

When reports clearly showed only a fraction of that, he accused news organizations of lying, calling them "among the most dishonest human beings on Earth," and warned that they would regret it.

Later that day, the President's spokesman, Sean Spicer, also accused the press of lying. He said the photographs were deceptive, and he insisted that President Trump's inauguration was "the most watched ever." That, of course, was a clever distortion of what the President actually said.

President Trump was unmistakably talking about the number of people who were actually present on the Mall when he was sworn in, which seems to matter more to him than it does to anyone else.

Mr. Spicer expanded that number by an indeterminable amount to include anyone who had watched anywhere in the world on a cell phone, television, or other electronic device.

A day later, Mr. Spicer berated the press for being unfair by reporting on this. Perhaps he had forgotten that it was President Trump who initiated the whole thing by publicly promising something that did not happen and then falsely accusing the press of lying, as did Mr. Spicer, after being proven wrong.

Mr. Spicer also may have forgotten that, shortly after President Obama was inaugurated, the Senate majority leader announced that the Republicans' No. 1 priority was to prevent him from being elected to a second term. Failing that, they spent 8 years trying to obstruct, sabotage, and discredit everything President Obama tried to do.

During much of that time, Donald Trump carried on an utterly false campaign accusing President Obama of lying about his birthplace.

Two days later and without citing any evidence—because no evidence exists—President Trump resurrected his false claim that he lost the popular vote because 3 to 5 million “illegal immigrants” voted. Mr. Spicer echoed this same claim, citing unnamed “studies.”

This, of course, is patently false and absurd, but one can assume that it will be repeated by Republicans to justify more onerous, discriminatory voter suppression voting requirements which have been a crusade of theirs, particularly in areas with large minority populations that traditionally vote Democratic.

To add insult to injury, Kellyanne Conway, the President's counselor, announced that President Trump will not be releasing his tax returns. This after candidate Trump repeatedly promised to do so once a routine audit is completed, and he even said he looked forward to doing that. Ms. Conway—who also came up with the phrase “alternative facts”—claimed that the fact that Mr. Trump won the election is proof that no one cared about his tax returns.

There are at least two problems with that. First, it is the only way the American people can know what President Trump's assets are, what conflicts of interest may exist, whether he has been telling the truth about what he owns, and whether he is working for the American people or to enrich himself and his family. The polls indicate that today between 60 and 74 percent of the American people want President Trump to release his tax returns, including 49 percent of his own supporters.

A few days later, Stephen Bannon, the White House strategist, said the

media should “keep its mouth shut and just listen for a while.” Ignoring that democracy is impossible without a free press, Bannon called the media the “opposition party . . . that [does not] understand this country.”

There is an even more disturbing aspect to this. Besides denigrating the press, candidate and now President Trump has attacked Muslims, the CIA, Mexico, Meryl Streep, the cast of “Hamilton,” Congressman JOHN LEWIS, politicians, undocumented migrants, or whoever else he thinks of at any particular moment, for meddling in the election or for any other reason, with one glaring exception: Vladimir Putin, one of the world's worst gangsters.

Despite credible evidence that the Russian Government, at Putin's direction, actively sought to sway the outcome of the U.S. election in favor of Donald Trump, candidate and now President Trump has repeatedly expressed admiration for Mr. Putin.

Think about what this means. The unanimous conclusion of U.S. intelligence agencies is that Vladimir Putin, a former KGB agent, ordered a cyber attack on our electoral system in favor of one candidate over another. Russia's goals “were to undermine public faith in the U.S. democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency.”

Can you imagine what the response would be from the Republican leadership if the tables were turned? They would have threatened to shut down the government until a new election was held. And if that failed they would have demanded that an independent commission be established to investigate Russia's cyber attacks. Such a commission is, in fact, what Senator DURBIN, I and others have called for and what the Republican leaders, who should care no less about the integrity of our democracy, have summarily rejected.

What was candidate and President Trump's response to Russia's acts to undermine our democracy? He continued to praise Vladimir Putin.

This should concern every American because, for years, Vladimir Putin has engaged in a systematic campaign to weaken the alliances and norms that the United States and our democratic allies have painstakingly built over the course of more than seven decades, for our national security and for global stability.

Putin would like nothing more than to discredit our democracy, weaken NATO, fracture the European Union, and in doing so deflect criticism at home and abroad of the repression and rampant corruption that have become the hallmarks of his iron-fisted rule.

While Mr. Spicer blithely spoke of the United States and Russia teaming up against ISIS, Russia has used its military power in Syria for one overriding purpose: to ensure the survival of Bashar al Assad's government, one of Russia's staunchest and most brutal allies.

We have learned that President Trump is also an admirer of Egyptian President al-Sisi and Philippine President Duterte, two populist leaders who have abused their authority to silence their critics and trample on the rights of their citizens.

If allying ourselves with the likes of Presidents Putin, al Sisi, and Duterte, bringing back black CIA detention sites and so-called “enhanced interrogation”—commonly known as torture—and declaring entire nationalities of men, women, and children fleeing war and devastation as ineligible for resettlement in this country is what the future looks like, we should think long and hard about what it will mean for our reputation as the oldest democracy and leader of the free world.

I have made a career of working across the aisle and with Republican and Democratic Presidents on legislation to help solve the country's problems. I hope to be able to continue doing so, as I learned early on that bipartisanship is the only way the Congress can succeed. I have voted to confirm several of President Trump's Cabinet nominees. I expect to vote for others, and there are several I expect to vote against.

I have never believed that we should keep doing things a certain way just because it is the way we have always done them or that the government cannot be made more efficient and more accountable to the people. Of course it can be.

But in times like this, each of us should rededicate ourselves to defending the things that made this country great in the first place because ours is a great country and a good country. I believe that above all it was, and must continue to be, the integrity of our democratic system, our free, fair, and transparent elections and the checks and balances of our three equal branches of government bolstered by a free press, and our commitment to uphold the fundamental rights of all Americans.

Donald Trump was not elected President to weaken any of that, and we in Congress have a responsibility to do our best to prevent it from happening.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. MORAN). Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Tillerson nomination, which the clerk will report.

The bill clerk read the nomination of Rex W. Tillerson, of Texas, to be Secretary of State.

The PRESIDING OFFICER. Under the previous order, there will now be 30



minutes of debate, equally divided in the usual form.

The Senator from California.

Mrs. FEINSTEIN. Mr. President, how much time do I have?

The PRESIDING OFFICER. The time has not been specifically apportioned to the Senator from California.

(The remarks of Mrs. FEINSTEIN pertaining to the introduction of S. 240 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mrs. FEINSTEIN. I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, I ask unanimous consent to be yielded 5 minutes for myself and then 5 minutes for the Senator from Arkansas to answer and perhaps object after I make motions.

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

UNANIMOUS CONSENT REQUESTS—S. 240 AND EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I will speak and then make my two motions, and then the Senator from Arkansas can speak and either object or not, whatever he decides.

Mr. President, earlier I spoke at length on the President's Executive order. I just want to repeat that this Executive order has made us less safe, less secure, put our troops in the field at increased risk, and was implemented in a way that has caused chaos and confusion across the country. Most fundamentally of all, it is un-American. It flies in the face of a grand American tradition of granting refuge to those fleeing persecution, regardless of their race, religion, or political views. It is dangerous. It is shameful. It is wrong. It must be reversed immediately. And I know that many of my colleagues agree with me. They know this is wrong. A dozen Republican Senators and counting, including my good friend, the senior Senator from Arizona, have expressed serious concern. One former Republican CIA Director said that it "makes us less safe than we were on Friday."

So let's repeal the order and then sit down to discuss a smart, thoughtful, effective way to counter terrorism. President Obama wanted tougher vetting. Democrats are happy to look at proposals to that effect but not this ineffective, un-American policy that will do more to empower our enemies and inspire those around the globe who would do us harm.

Now I am going to make a second unanimous consent request, and I will do them seriatim, as the UC allowed.

The second request is, I ask unanimous consent that we delay the confirmation vote on Secretary of State nominee Rex Tillerson until these Executive orders are overturned and he commits to opposing them.

So far, this is the most important foreign policy order of the new administration, and in the committee hearing for his nomination, Mr. Tillerson

appeared—he wasn't 100 percent certain—to roundly reject the idea of a blanket travel ban just like the one President Trump signed. He said: "I don't support a blanket type of travel ban on people coming to this country." He stressed in his opening statement that moderate Muslims are going to be our greatest allies in the fight against Islamic extremists. The implication was that he wouldn't support a proposal that would in any way alienate and inflame them. He said he didn't think it was helpful to suggest that Americans should be afraid of Muslims. That would suggest he might be wary about a policy that explicitly singles out seven majority-Muslim countries for different treatment under U.S. policy.

Now, many of the comments Mr. Tillerson made to the committee are at odds with the President's policy. So Democrats and Republicans alike and the American people, most of all, deserve to know whether Mr. Tillerson would implement this Executive order or not because it seems to directly contradict comments he made under oath to a Senate committee. Key allies around the world are wondering whether the potential future Secretary of State supports this policy, and so are the American people.

Here are some important questions: Did he have any involvement or consultation in the construction or drafting of the Executive order? How would he answer the outcries from countries around the world that are asking that President Trump rethink this policy? Does he think it would make us less safe? Does he think it would alienate moderate Muslim communities in the United States and around the world? And does he believe current green card holders should be subjected to another round of scrutiny if they come back to the United States, even though they have been vetted before?

We need these answers from President Trump's nominees, and Mr. Tillerson's nomination is before the Senate right now, so it is imperative that we know what he thinks before moving forward.

So, Mr. President, I am making two unanimous consent requests.

First, I ask unanimous consent that the Senate proceed to the immediate consideration of Senator FEINSTEIN's bill, S. 240, introduced earlier today; that there be 2 hours of debate equally divided; and that upon the use or yielding back of time, the bill be considered read a third time and the Senate proceed to vote on passage of the bill; finally, that there be no amendments, motions, or points of order in order to the bill.

The PRESIDING OFFICER. Is there objection?

The Senator from Arkansas.

Mr. COTTON. Mr. President, I reserve the right to object.

If the Democratic leader wants to proceed.

Mr. SCHUMER. Thank you.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. I have a second unanimous consent request.

Mr. President, I ask unanimous consent that the cloture vote on Calendar No. 2, the nomination of Rex W. Tillerson for Secretary of State, be postponed until Executive Order 137 is rescinded and Mr. Tillerson has provided in writing to the Senate Foreign Relations Committee information pertaining to his involvement in the development of the Executive order, as well as a statement declaring whether or not he agrees with the order.

The PRESIDING OFFICER. Is there objection to the first request of the Senator from New York?

Mr. COTTON. Mr. President, I object to the first request.

The PRESIDING OFFICER. Objection is heard.

Is there objection to the second request of the Democratic leader?

Mr. COTTON. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. COTTON. Mr. President, so once again we are hearing the Democrats and the media traffic in fake news. We heard a lot on this floor and over the weekend about a Muslim ban. This is a so-called Muslim ban that applies only to seven countries, and it does not apply to Indonesia, India, Pakistan, Bangladesh, or Nigeria—the five largest Muslim populations in the world. I have heard lots of claims on TV about 134 million Muslims who could be affected. Of course that leaves 1.6 billion Muslims who are not affected.

This is not a Muslim ban; this is a temporary pause of movement from seven countries, which President Trump did not pick from thin air. He picked from acts of this Congress and the Obama Department of Homeland Security—five countries in a state of near anarchy; a sixth country, Iraq, which has had a large part of its territory overrun by the Islamic State; and a seventh, Iran, which is the world's worst state sponsor of terrorism. Moreover, it is not a ban; it is simply a temporary pause for 3 to 4 months to evaluate whether Obama administration policies are strong enough to keep this country safe.

We also heard claims that this is somehow unconstitutional. However, there is no free-floating global right of people around the world to come to this country. President Trump's order is nothing more than a temporary pause on migration from countries with very weak state institutions or which sponsor terrorism, while the President and the administration take a more thorough review of our vetting procedures and the refugee program as a whole.

Secretary Kelly has stated that it does not apply to green card holders. Secretary Mattis is reportedly advising that the long-term policy accommodate Iraqis with a documented history



of serving with our troops, which I obviously support.

In fact, a temporary pause for security evaluations is so sensible that in November 2015, after the Paris terrorist attacks, even the minority leader suggested that “a pause may be necessary.” It wasn’t beyond the pale then, and it is not now. Moreover, the people who are enforcing our laws on the frontlines agree with President Trump. The union for Border Patrol and Customs Enforcement agents has stated that they support this order and two other related immigration orders.

Yet here is the minority shedding crocodile tears over President Trump’s immigration refugee policy, but where were those tears for the last 8 years when President Obama’s foreign policy created all of these refugees? Where were the tears when President Obama overthrew the Government of Libya with nothing to follow? Where were the tears when President Obama withdrew from Iraq, leaving that country to fend off Iran and the Islamic State? Where were the tears when President Obama gave Iran \$100 billion to continue its imperial campaign throughout the Middle East, to include overthrowing the Government of Yemen through its proxies? And most notoriously, where were the tears when President Obama stood idly by and watched Syria go up in flames? Spare me the tears now.

If the minority is worried about the President’s counsel and wants to make a difference in the real world, I suggest we get to work and we confirm Rex Tillerson to be the Secretary of State and JEFF SESSIONS to be the Attorney General. In the meantime, I object.

I yield the floor.

The PRESIDING OFFICER. Objection is heard.

Is there further debate?

#### 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 bill 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 Rex W. Tillerson, of Texas, to be Secretary of State.

Mitch McConnell, John Cornyn, Richard Burr, Tom Cotton, Jerry Moran, Pat Roberts, James Lankford, Johnny Isakson, Bob Corker, Orrin G. Hatch, Thom Tillis, Dan Sullivan, David Perdue, James M. Inhofe, Deb Fischer, Cory Gardner, John Barrasso.

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

The question is, Is it the sense of the Senate that the nomination of Rex W. Tillerson, of Texas, to be Secretary of State shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. HEINRICH) is necessarily absent.

(Disturbance in the Visitors’ Galleries.)

The PRESIDING OFFICER. The Sergeant at Arms will restore order in the Senate.

The Galleries will remain quiet.

The Sergeant at Arms will restore order.

Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 56, nays 43, as follows:

#### [Rollcall Vote No. 34 Ex.]

#### YEAS—56

Alexander	Gardner	Paul
Barrasso	Graham	Perdue
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heitkamp	Roberts
Capito	Heller	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Corker	Johnson	Sessions
Cornyn	Kennedy	Shelby
Cotton	King	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tillis
Daines	Manchin	Toomey
Enzi	McCain	Warner
Ernst	McConnell	Wicker
Fischer	Moran	Young
Flake	Murkowski	

#### NAYS—43

Baldwin	Franken	Peters
Bennet	Gillibrand	Reed
Blumenthal	Harris	Sanders
Booker	Hassan	Schatz
Brown	Hirono	Schumer
Cantwell	Kaine	Shaheen
Cardin	Klobuchar	Stabenow
Carper	Leahy	Tester
Casey	Markey	Udall
Coons	McCaskill	Van Hollen
Cortez Masto	Menendez	Warren
Donnelly	Merkley	Whitehouse
Duckworth	Murphy	Wyden
Durbin	Murray	
Feinstein	Nelson	

#### NOT VOTING—1

Heinrich

The PRESIDING OFFICER (Mr. LANKFORD). On this vote, the yeas are 56, the nays are 43.

The motion is agreed to.

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

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

#### TRAVEL BAN

Mr. DURBIN. Mr. President, this is the 11th day of the Trump Presidency. To say that these have been tumultuous days is certainly an understatement. What happened over this past weekend really was unsettling to many people all across the United States.

Candidate Trump made it clear that he had strong feelings about refugees and strong feelings about immigration, but I don’t think anyone anticipated the Executive orders that were issued by the Trump administration, by the President, on Friday. The net result of that we saw across the United States

at O’Hare International Airport, JFK, Dulles, many other airports. International travelers, en route, learned that the laws of the United States were being changed because of President Trump’s Executive order. As a result, there was a lot of confusion and uncertainty, and hardships were created. Individuals who were coming to the United States as refugees were being turned away.

For the record, this decision to indefinitely suspend the admission of Syrian refugees into the United States is not a decision based on fact. Since 9/11, since the war in Syria began, we have not had a single—not one—instant of terrorism by a Syrian refugee—not one. The United States has not stepped up as other countries like Canada have in admitting Syrian refugees. We have gone to great lengths, extraordinary lengths, to give background checks that are as consuming as one can imagine, to verify their identity and their safety to the United States.

Overwhelmingly, these Syrian refugees are the victims of a deadly war which has gone on for years, and overwhelmingly they are children with their mothers. I have met them. I sat down with them in Chicago. It is heartbreaking to think that they have lived through war, may have been lucky enough to make it to a refugee camp, and then waited for years—for years—to be cleared by the United States and be given a chance to come to this country.

It has to be a heartbreaking process. Through it all, many of them have endured losses in their families that they will never be able to forget—injuries and deaths of people whom they love. These are men and women in Syria escaping a deadly war and the terrorists who have ravaged that country. They have tried to come to the United States for safety and security.

The history of refugees in America is one that in modern version is very admirable, but unfortunately before—during World War II—it was a sad chapter in our history. Not only did we inter about 120,000 Japanese Americans in camps during the war for fear that they would betray the United States, but during that war, time and again, the administration of President Roosevelt as well as Congress refused to allow those who were escaping the Holocaust in Nazi Germany to come to the United States.

Here on this Senate floor where I stand, an effort was made by Senator Robert Wagner of New York to admit 10,000 Jewish children out of Nazi Germany into the United States so that their parents would have the peace of mind that they would not be killed by the war or the Holocaust. That measure was defeated on the floor of this Senate. Prior to our entry into the war, those who tried to escape Nazi Germany and come to the United States were turned away by the United States.

The most notorious example was the SS St. Louis, which sailed from Germany, came to, first, Havana, Cuba, then to Miami, FL, and was turned away in both places with about 900 passengers who feared for their lives because of the anti-Semitism and the killing that was taking place in Nazi Germany.

They tracked that passenger list. Several hundred of them were rejected by the United States. They were not given refugee status. They were forced to return to Germany. Several hundred of them perished in the Holocaust.

It was after that bitter experience that the United States decided to try to set an example for the world when it came to compassion and humanity for refugees. We stepped up time and again to be that place of security and safety. We can point proudly to the fact that when the Cubans were fearful of a Communist takeover in their country, fearful for their lives and their rights and their liberties, they came to the United States in tens of thousands.

Now Cuban Americans, a proud part of our country not only in Florida but around our Nation, can point to the U.S. refugee policy as the means by which they finally made it to the safety of the United States. Here we were in a Cold War with the Soviet Union; Cuba, 90 miles off our shore was being taken over by a dictator, Fidel Castro, who was declaring his loyalty to the Soviet Union. Yet we were readily receiving tens of thousands of refugees from Cuba in the midst of that Cold War. Talk about a chance—and taking a chance. Those men and women who came to the United States were not vetted for months, years, and in many cases not at all. They were allowed into our country. Thank goodness we did it. It was the right thing to do.

Time and again, whether it was refugees coming in from Vietnam after the end of that deadly war or whether it was Soviet Jews, persecuted by the Soviet Union, trying to escape, coming to the United States, we opened our doors and said: The United States of America will set an example for the world when it comes to refugees. That defined who we were and who we still should be.

Now this new President is ready to walk away from that. If we had one instance of a Syrian refugee coming into the United States after that vetting process who caused harm to our citizens or engaged in an act of terrorism—if we had one—then perhaps this President could start to make his case.

All he has is fear, unreasoned fear, unproven fear. We recall what Franklin Roosevelt said to this Nation, standing right out here on the steps when he was inaugurated in March of 1933: We have nothing to fear but fear itself. It is fear itself that is motivating this President to make decisions inconsistent with more than 50 years of American history and inconsistent with American values.

When you meet these refugees and you hear their heartbreaking stories,

how can you say that there is no room for you in this country? Yet that is exactly what he said.

Sadly, he not only came up with this Executive order, he did it in a fashion where the agencies that were supposed to implement the order really were caught by surprise. Now they are priding themselves on the fact that they can turn on a dime when given instructions that are important for national security. But in this case, where national security was not the motive—political security was the motive; I am talking in the crassest terms. In those cases, these agencies were forced to make split-second decisions, and some of them were horrible.

A man who came to the United States from Iraq, from one of the seven countries designated by President Trump, came from Iraq after having risked his life for American soldiers. He was rewarded with an opportunity to come to the United States, was detained at the airport, questioned at length, threatened to be returned to Iraq, and finally—after 19 hours—allowed to stay.

There is story after story of families coming to see someone who was on the deathbed, their last chance to be together, and families who had gone overseas for what they thought were just casual or really easy trips who were subject to detention and some turned away. Why? It certainly was not in the interest of the security of the United States, and it was not handled in a professional manner. It was impulsive and not decisive. It was ill conceived instead of wise.

Here we are today. As I stand here at this chair and this desk in the Senate, across the street thousands have gathered in front of the Supreme Court to express their outrage over the Executive orders issued by President Trump. I am happy to report that almost one dozen Republican Senators have joined us in expressing reservations about this policy.

It gives me hope that maybe on a bipartisan basis we can rein in some of the excesses of this administration. God forbid we ignore the basic constitutional issue that has been raised by these Executive orders. It is no coincidence that these seven countries are predominately Muslim countries. It is no coincidence that President Trump went on a Christian broadcasting station and said preference would be given to Christians.

The Constitution which we are sworn to uphold and defend, the Constitution which guides this Nation is one that was written at a time when religion was a divisive issue that led to people coming to the United States.

I think in this section, our Founding Fathers probably showed more wisdom and more understanding of our future than any other on the issue of religion. They only said three things in the entire Constitution, three things over 200 years ago. They said that this Congress, this government, will not estab-

lish an official religion. They did that, of course, many of them having come from England, where they had a national church. They didn't want that in the United States. Most importantly, they said each person in America had freedom of religious belief, to believe what they wished or to believe nothing if they wished, and that would be an honored freedom under our Bill of Rights. The third element: Religion could not be used as a litmus test for public office. That is it.

When you think of all the wars and all the deaths and all the persecution based on religion, the fact that we have largely escaped it is because of the wisdom of that document.

Now comes this 45th President of the United States who decides to rewrite the book, to ignore this basic constitutional direction and mandate, and to say on the Christian Broadcasting Network: We are going to favor Christian refugees coming to the United States. That, to me, is unacceptable and unconstitutional, and inconsistent with who we are, what we are, and the values we treasure in this country.

My mother was an immigrant to this country. I never knew my grandmother, who brought her over on the ship from Lithuania. I do have one thing now in my office upstairs that my grandmother carried with her to this country. It is a prayer book. We are a Roman Catholic family. She was a Roman Catholic in Lithuania. The Russian Orthodox religion was being pushed by the czar, who was dominant when they left Lithuania, and they banned Catholic prayer books written in Lithuania.

I never knew my grandmother. I wish I had. She risked everything to bring that Catholic prayer book, that contraband from czarist-controlled Lithuania into the United States. I have it upstairs. It means the world to me that this woman with limited formal education but unlimited courage was willing to risk a lot, bringing three small children into this country, carrying with her that prayer book which might have gotten her imprisoned in Lithuania back in her day. So religion means a lot to our family, not just on a personal basis but what America means when it comes to religion.

When this President is so casual with the constitutional guarantees of religion, I don't believe he is serving the United States or honoring the history that came before him.

There have been so many issues that have come up during the 11 days of his Presidency, but President Trump's decision to turn away innocent people fleeing persecution, genocide, and terror and to ban immigrants on the basis of religion is the worst, in my view. This attack is not only un-American, it risks alienating 1 billion Muslims around the world. Some of the most conservative people in this country—I am certain Republicans—have said over and over again: Don't do this. There are Muslim countries that are

allies in fighting terrorism, and if you alienate them, it is going to lessen our ability to stop the spread of Al Qaeda and ISIS.

Furthermore, this is a recruiting tool. You know what is going to happen. Those who hate the United States are going to use this action by President Trump to verify their belief and their credo that the United States is anti-Muslim.

There was a Republican President, George W. Bush, whom I disagreed with many times, but thank goodness, after 9/11, he had the wisdom and showed the leadership to come before the American people to say: We are not going to condemn the Muslim religion. We are going to go after those who corrupted it, but we are going to honor it as a religion of peace.

How different President George W. Bush, that Republican President, was to President Donald Trump, this Republican President.

Senator DIANNE FEINSTEIN is the ranking Democrat on the Senate Judiciary Committee. She has introduced a resolution, on which I am proud to be one of the original cosponsors, to repeal and rescind these reprehensible President Donald Trump Executive orders on refugees and immigration.

We are in the midst of the worst refugee crisis in the history of the world. More than 65 million people have been forcibly displaced from their homes. The brutal Syrian conflict, which is the epicenter of this humanitarian crisis, has killed hundreds of thousands, injured more than a million, and displaced half of the population of that country. In some areas, children literally starve to death in Syria. This conflict has forced more than 4.7 million refugees to flee. Around 70 percent of them are women and children who are looking for a safe place in this world. Half of Syrian children today are not in school because of this conflict and because of the forces that have dispersed them around the world. Millions in and outside of Syria need humanitarian assistance.

Last week—the same week President Trump signed this awful Executive order on refugees—the United Nations issued an appeal for \$4.6 billion to meet the basic needs of Syrian refugees and struggling communities hosting them in neighboring countries.

Lebanon is a country where I believe half of the children in school today are Syrian. Jordan, one of our best friends and allies in the Middle East, has made more sacrifices on behalf of refugees per capita than any nation on Earth. What message does it send to our friends in Jordan that while they risk the security and safety and stability of their nation to absorb these refugees from Syria and around the world, that as an official policy of President Donald Trump, the United States no longer will even consider allowing a Syrian refugee to come to the United States? How can we in good conscience ask the King of Jordan to risk his monarchy

and his country for refugees when President Trump says they are not allowed in the United States?

Earlier this month, I am happy to report, more than 1,700 Jewish rabbis called on our government to maintain and strengthen the refugee program for refugees of all ethnic and religious backgrounds—not to halt it, pause it, or restrict it. This weekend, I was so proud of the Catholic cardinal in Chicago, Blase Cupich, who came out and said the Executive orders of Donald Trump are not consistent with American values and certainly are not consistent with the beliefs of the Catholic Church. Religious leaders all across the country are speaking out. They understand that this is more than a political test; this is a moral test of who we are as Americans.

Many of the refugees who came to this country were fleeing regimes that were hostile to the United States. We gave them safety.

Refugees are the most carefully vetted and investigated of all travelers. Before refugees are admitted into the United States, they go through security screening that is almost unheard of. All of that screening takes place before they can even consider being allowed to set foot in America, and Syrian refugees go through an even stricter review. Extreme vetting? I have news for this President: Syrian refugees and refugees all over the world are already going through extreme vetting.

Shutting down the Refugee Resettlement Program won't protect our security. It plays into ISIS's argument that the United States is waging a war against Islam.

Listen to what Michael Hayden, former Director of the CIA and National Security Agency under Presidents Bush and Obama, said about President Trump's Executive order:

It's a horrible move. It is a political, ideological move driven by the language of the campaign and, frankly, campaign promises—promises in the campaign that were hyped by an exaggeration of the threat. And in fact, what we're doing now has probably made us less safe today than we were Friday morning before this happened because we are now living the worst jihadist narrative possible, that there is undying enmity between Islam and the West. Muslims out there who were not part of the jihadist movement are now being shown that the story they were being told by the jihadists—they hate us; they're our enemy—that's being acted out by the American government. And frankly, at a humanitarian level, it's an abomination.

That statement was not made by the Democratic National Committee; it was made by Gen. Michael Hayden, former Director of the Central Intelligence Agency and the National Security Agency under Presidents Bush and Obama.

If we are serious about protecting America, we should be serious about closing the real loopholes that might threaten us. Think of the hundreds of thousands of foreign visitors to the United States under the Visa Waiver Program who go through no vetting,

not even fingerprinting, before they get on a plane to come to the United States. Want to close a loophole in security? Let's look at that one seriously.

Instead of real security threats, President Trump is focusing on innocent people—children, women, families who are fleeing terrorism.

Today's refugees, like millions before them from all over the world, will become proud Americans who contribute greatly to our society and economy.

Albert Einstein was a refugee. Thank goodness he came to the United States. Today, so many of the leaders of our major corporations and high-tech companies are immigrants to this country and, in some cases, refugees.

Building walls on our borders and fear in our hearts will not move America forward. Let's not continue the cruelty or deception of blaming immigrants and refugees for our security and economic challenges. Let's work together to build a better America for all Americans, including new Americans, no matter the color of their skin, where their parents were born, or how they pray.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, citizens across the country are very concerned. In fact, they are more than concerned; they are terrified that our President is degrading the fundamental values on which our Nation was founded: religious tolerance, freedom of religion, the ability to worship as you please, and a fundamental principle that we would be welcoming to refugees, that we would be a nation that embraces immigrants.

Tonight Lady Liberty is crying. She said, "Give me your tired, your poor, your huddled masses yearning to breathe free," but our President has slammed the door on the tired and the poor and the huddled masses. It is an action the citizens in my home State have come out to protest. They have gone to the airport in Portland en masse 2 days in a row to say that we are welcoming to the world, that we are not going to slam the door shut on refugees, that we are not going to single out Muslim nations and say: We do not want you here.

Indeed, I held two townhalls over the weekend. The first was in a gymnasium about this size. There were 600 people jammed into it. They are very upset and angry that our fundamental values are being disregarded by the President of the United States. Then I went to my second townhall. I thought 600 was a lot; there were 3,700 Oregonians who came out to my second townhall. Every one of them is wanting to send a message to President Trump: You are taking us on the wrong road—a road that hurts people around the world, a road that hurts our fundamental values, and a road that decreases our security.

This Executive order, this Executive action from the President has had an

immediate and painful impact—hundreds of people en route to our country detained at airports although they were legally traveling here. Many of them have been vetted on extended periods, some of them going through several years of vetting, and finally they have in their hand that visa that says, yes, I am going to have a country, and it is going to be the United States of America. And the President crushed that hope.

Chaos and confusion abounded. Lawyers and protesters and advocates descended on airports everywhere across this country to tell the administration that there is no mandate, no public will for this path that is so destructive to our values. They came out to say: Mr. President, when you tear down women in America, we stand with the women of America. Mr. President, when you tear down the disabled, we stand with the disabled of America. Mr. President, when you tear down African Americans and Hispanics, we stand with African Americans and Hispanics. And, Mr. President, when you tear down Muslims, we stand with our Muslim brothers and sisters because this is the United States of America, where we value religious freedom, where we value religious tolerance. This is a nation of immigrants. If you are not 100 percent Native American, then you are either an immigrant yourself or you are the child or the grandchild or the great-grandchild of an immigrant. Most of us can track members of our family who came from the ravages of war or the ravages of drought or the ravages of oppression to come here to this soil, this land of freedom. James Madison remarked: "America was indebted to immigration for her settlement and for her prosperity." This remains just as true today as it was in Madison's day.

Here we stand, but the President of the United States has denied access to our Nation to a group of people based on nothing more than religious beliefs, betraying our values of religious tolerance and shutting the doors on refugees. The President has said this is not a ban on those of the Muslim faith, but of course it is a ban on those of Muslim faith because it is a ban on seven nations that are Muslim nations, with an exception made for individuals who are Christians so it is nothing more than a ban on Muslims.

The President says this is about protecting our citizens, but let us be very clear about that. Numerous refugees have come to our land, numerous immigrants, and there have been zero fatal terror attacks carried out by the immigrants from the seven countries listed in the order. Zero. We have been attacked by individuals from other countries which are not listed in the order, from Saudi Arabia, United Arab Emirates, Egypt, and Lebanon. Those nations aren't listed on this order. What we do know is that this ban does not make our Nation safer. National security experts recognize that it does

exactly the opposite. By signing this Executive order, the President has betrayed our most fundamental values and principles, antagonizing 1.6 billion citizens of the world, and given our enemies ammunition for their false narrative that America is at war with Islam because that is exactly what they have used to recruit. That is exactly what they have used to increase and pour fuel on the fire to persuade people to attack Americans. The President has basically handed them this argument—this false narrative—and put our Nation at risk.

Former CIA Director Gen. Michael Hayden said to National Public Radio this morning, "In fact, what we're doing now has probably made us less safe today than we were Friday morning before this happened, because we are now living the worst jihadist narrative possible, that there is undying enmity between Islam and the West."

I share the value of Daniel Benjamin, the former Coordinator for Counterterrorism at the State Department, who said this: "It sends an unmistakable message to the American Muslim community that they are facing discrimination and isolation," and that message, he said, will "feed the jihadist narrative that the United States is at war with Islam, potentially encouraging a few more Muslims to plot violence."

This is the wrong move in every possible way. It is ill-considered, it is hasty, it is dangerous, it is wrong-headed, it puts American citizens at risk, and it helps our enemies. Benjamin Franklin once said: "Those who would give up essential liberty to purchase a little temporary safety, deserve neither liberty nor safety." In this case, President Trump's Executive order has degraded both our liberty and our security—both our liberty and our safety.

We have turned our backs on friends and allies who are helping us in the war against ISIS. The President has made it clear that he wants to take on ISIS as we had been, but he wants to amplify it, and he has sabotaged that effort with this Executive order.

There are individuals like Hameed Khalid Darweesh, who worked for more than a decade for the United States as an interpreter in Iraq. Our interpreters place their lives at risk to assist our soldiers. They place the lives of their families at risk to assist the United States of America. This man risked his life for more than 10 years for us, and how is he greeted when he arrives here in our country? He is greeted with handcuffs. Muslim Iraqi interpreters like Mr. Darweesh have earned the right to come to America. They risked their lives and their family's lives. They assisted us in multitudinous ways.

What about this ban on refugees? Refugees are the most thoroughly vetted of all those who come to the United States. If a terrorist wants to come to the United States, a terrorist wouldn't

attempt to come as a refugee. It would be 1 to 2 years of waiting in miserable conditions in a refugee camp, with all kinds of vetting, and they might never get permission to come. If you want intense vetting, then look to how we vet refugees. Blocking women and children and interpreters from coming to our country who have been the most thoroughly vetted of all potential immigrants is simply wrong. In fact, the model for vetting refugees is intense. Women and orphans are just searching for a safe haven, but we have turned our back and we have slammed the door.

America is better than this. For centuries we have been a beacon of hope to the world. We have been a beacon of justice, a beacon of compassion, and we must restore our Nation as a beacon of hope, justice, liberty, and compassion.

Millions of Americans are coming out in the snow and the rain and in some places in good weather. They are coming out in any possible conditions to speak out and say: This is not America. This is not us. Change paths. Tear down this ban. Tear down this ban that has slammed the door on refugees. Tear down this ban which has placed our Nation at risk.

Let us together put our Nation back on track. Let us together fight for the values that made America great for the last two centuries. Let us together fight for the richness of our culture and our community, the strength of our society that comes from being a nation of immigrants. We need to act and act urgently.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. BENNET. 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. BENNET. Mr. President, Mr. Trump's poorly drawn and implemented Executive order blocking refugees from the United States sacrifices fundamental American values and does not make us safer.

For the first time in memory, the order imposes a ban on all refugees entering our country, many of whom are fleeing war or who risk persecution for their religious or political beliefs. The order affects many thousands of children, women, and men whom our government has vetted for years and cleared for rescue.

President Trump's action—taken in the first days of his new administration, for political reasons, without regard for real world consequences and without the expertise of our national security professionals or even some of those appointed by the President himself—represents a rare, but shameful, departure from a constitutional heritage that has made America strong and a beacon to oppressed people throughout the world.

For generations, immigrants and refugees have come to our country to flee religious persecution and to seek a better life. Indeed, these are the very people who founded our original colonies. Although, as now, we have occasionally failed to live up to our ideals, over generations the United States has accepted millions of refugees from around the world.

My own family is part of this story, as so many people's families in this Chamber are. My mom was born in Poland in 1938 while Nazi tanks massed at the border. She and her parents miraculously survived the Holocaust—one of the worst human events in history.

After the war, after arriving in Sweden and then Mexico City, they were able to come to New York City in 1950. They wanted to come to the United States because it was the only country in the world where they believed they could rebuild their shattered lives. And they did.

This weekend, my mom joined hundreds of thousands of Americans to call on the President to change course, knowing that our family's struggles in Europe require us to recognize the danger and persecution facing families throughout the Middle East today.

Out of a population of 22 million, almost 5 million Syrians have fled to neighboring countries—some to Europe—and have registered as refugees. More than half of those displaced are children.

According to the United Nations, more than half of the remaining Syrian population—6 million of them children—require assistance such as food, water, and health care. Nearly one in four people in Lebanon today—tonight—is a Syrian refugee, and the fourth largest city in Jordan is now a refugee camp.

In the wake of President Trump's refugee ban, it seems useful to ask—and I am sure the American people are asking—why are so many millions of people fleeing their homes, their countries, and their history?

They are doing it to save their lives—and, in many cases, their children's lives—from ISIS's medieval barbarism and Assad's unrelenting brutality. They seek to escape the murder, rape, detention, and torture they suffer because of their religion or their ethnicity or both.

Assad is their enemy. ISIS is their enemy. Today's refugees are fleeing the violence and extremism that threatens our own national security. Their enemies are our enemies. The same is true of the refugees from Afghanistan, Libya, Somalia, and Sudan.

Does this mean we have an obligation simply to open our borders to them? Of course not. We have a national security imperative to ensure that no terrorist tries to sneak into the United States as part of the refugee program.

I have long said that the burden of proof is not on the United States to accept a refugee. Rather, the refugee has the burden to demonstrate that they

are not a threat to the United States. We have no obligation, nor should we, to take anything on faith. It is for this reason that refugees are more thoroughly vetted than anyone else entering the United States. They must pass stringent screening standards to ensure that they pose no threat, a process that can take up to 2 years.

First, the United Nations screens them and collects biometric data. Only those who pass that test are then referred to the United States. And, by the way, no refugee knows at that stage of the process to which country they will be referred—to the United States or to any other country that is accepting refugees. After that, multiple agencies—including the Department of Homeland Security, the FBI, the State Department, and our intelligence agencies—conduct rigorous screenings. This process includes repeated biometric checks, several layers of biographical and background screening, health checks, and interviews. Syrian refugees, in particular, receive enhanced scrutiny through an additional security risk review by specially trained officers.

Out of the nearly 60,000 people referred to the United States, only about 12,000 have been accepted. Of those Syrian refugees accepted by the United States, three-quarters are women and children and half were under 13 in 2016.

We are the leader of the free world, a republic founded on the premise of religious freedom and a society that for generations has called out to the tired, the poor, and the huddled masses yearning to be free. That is who we are. Yet, in the name of fighting terrorism in his first week as President, Mr. Trump has sacrificed what has made us exceptional and has banned these children and their mothers from our shores.

These children are no different than Omran Daqneesh, whose distant stare from the back of an ambulance in Aleppo bore witness to the senseless violence he suffered; or Alan Kurdi, whose lifeless body on a Turkish beach condemned the worst savagery of humankind.

Once he learns the details—if he chooses to study them—if President Trump wishes to make our vetting even more extreme than it already is, I guess he may do so. But banning refugees and prioritizing immigration by religion or ethnicity simultaneously abandons our principles and weakens our counterterrorism efforts. It sends the wrong message to our Muslim partners who fight with us in places like Iraq and Afghanistan, including civilians in those countries who have risked their lives alongside our troops. It also hands ISIS a recruiting tool by fueling their narrative that the Western and Muslim worlds cannot coexist in peace.

If the President really wants to secure our borders and ensure extremists stay out of the country, there are far better alternatives, and they are alternatives that are not at war with who

we are as Americans. We should work together to close security gaps in our Visa Waiver Program and partner with European countries to better track the flow of foreign fighters throughout Europe and the Middle East. We should also do more to counter the ability of terrorists to radicalize and recruit, both here at home and abroad. We should do more to equip our agencies with tools and capabilities to degrade the ability of terrorist organizations—in particular, ISIS—to persuade and inspire using social media. Congress should enact ideas passed by the Senate in 2013 to strengthen border security, double the number of border agents, and address visa overstay.

By tackling real vulnerabilities and investing in smart security solutions, we can secure not only our borders but also our values, and we will not repeat the darkest moments of our history when America turned away from those fleeing persecution around the world.

A year ago, I came to the Senate floor to share a note sent to me by my grandparents on my first birthday. It is a message that bears repeating tonight. The year was 1965—15 years after my mother and grandparents came to this country after surviving the horrors of the Holocaust in Poland. This is what they wrote:

The ancient Greeks gave the world the high ideals of democracy, in search of which your dear mother and we came to the hospitable shores of beautiful America in 1950. We have been happy here ever since, beyond our greatest dreams and expectations, with democracy, freedom, and love, and humanity's greatest treasure. We hope that when you grow up, you will help develop in other parts of the world a greater understanding of these American values.

Like so many immigrants, my grandparents knew how special these American values are and how rare they are. We cannot take them for granted or subvert them for a political moment. These values make us who we are.

Edmund Burke once wrote: "In history a great volume is unrolled for our instruction, drawing the materials of future wisdom from the past errors and infirmities of mankind."

This is a time when we can learn from the past errors and infirmities of humankind. We cannot turn our backs on women, children, and families who risk persecution, starvation, or death.

The President should rescind this Executive order. If not, the Senate should end the ban immediately and start a serious conversation on how to make our country safe again in a manner that is consistent with our fundamental values.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to follow that very eloquent speech by my colleague from Colorado and to be followed on the floor by our colleague from Massachusetts.

We are here today with stories. Every one of us has a story going back one

generation, maybe two or three, maybe five or ten, but we all have an immigrant story. Most of those immigrant stories are about people coming here to seek hope, opportunity, and, yes, safety; to escape violence and persecution; to come here for refuge.

I met one of those refugees over this weekend in West Hartford at a Holocaust remembrance ceremony. Abby Weiner is a Romanian Jew who survived Auschwitz and Buchenwald but lost his parents there. He was honored by Voices of Hope at this Holocaust remembrance ceremony at a synagogue in West Hartford, attended by 500, 700 people. There was a massive outpouring of support for him and for the values that are represented by people who come here as immigrants fleeing persecution and violence, as he did in Nazi Germany. He said: The words came before the bullets and gas chambers. The words of Nazi Germany came before the bullets and gas chambers. Words have consequences. Edicts and orders have consequences.

When I spoke, I told my own story—a proud story of my father, who also came here from Nazi Germany in 1935. He was 17 years old. He spoke virtually no English, he had not much more than the shirt on his back, and he knew almost no one. This great country, the greatest in the history of the world, gave him a chance to succeed. He was a proud American. How sad and ashamed he would be today to see actions by the President of the United States that ban a group coming to this country based on their religion—a ban that is antithetical to our history, our values, our Constitution, and the rule of law.

I salute Sally Yates, who has taken a stand based on moral and legal principle in the highest tradition of the Department of Justice, saying that these orders cannot be defended and that the rule of law and morality is more important than the politics of the moment and the impulsive edicts of a ruler who apparently fails to understand that law—or, at least his administration does.

It raises the question of whether the next Attorney General—she is only acting—will have the strength and courage to uphold the rule of law. Tomorrow, I will vote against our respected and admired colleague, JEFF SESSIONS, because I believe that the next Attorney General must be a champion—a steadfast advocate and protector of the rule of law and rights and liberties that are overridden and abridged by this order banning people from Muslim-majority nations, in effect a ban on a religious group.

We are better than this kind of discriminatory edict. We know it harms mainly children and families fleeing violence and oppression. Refugees like those children have helped to shape and build this Nation. We are stronger because of our diversity. We are a nation of immigrants. Our strength comes from the talents, energies,

strengths, and vibrancy they bring to this country.

Often, when I am feeling down about our public life, I go to immigration and naturalization ceremonies. They occur every Friday in courts around the State of Connecticut. I welcome people who are becoming citizens, and I say to them: Thank you for becoming a citizen of the greatest country in the world. You are a source of strength for us, and you have taken a test that most Americans could not pass.

They laugh because they know it is true. They will never take for granted what it means to be a citizen of this country. I look at them in their diversity, and I know that is America. That is our future.

We will be less safe because of this order, which will alienate allies and deny us sources of intelligence to troops on the ground that we need to win the war against ISIS, and we must win that war. It will provide a recruiting tool to ISIS, convincing young people who may be tempted to join their ranks that, in fact, this country is engaged in a war against Islam, which is utterly and totally untrue. It will discourage people from within the United States who are part of the Muslim community from coming forth when they see threats and could provide information that would forestall an attack by violent extremists within our country.

This order makes us less safe, but it weakens us mainly in a deeper moral sense: It is wrong. It is wrong for this great country, devoted and founded on the ideals of welcoming people seeking that beacon of hope and protection and opportunity.

The Statue of Liberty is a symbol, but the ideals and the values are living. The damage that has been done to them can be repaired. We must repair it and reverse this order. That is why I have sponsored legislation that will rescind it, and why I am proud to join my colleagues today on the floor of the Senate to say: Rip up this order, Mr. President. With all respect, do the right thing. Be on the right side of history and the right side of our Constitution. Rip up this illegal order.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, on Friday night, President Donald Trump issued an Executive order that strikes at the very heart of our democracy.

I wish I were exaggerating. I wish this were some sort of game. But the ban that imposes religious tests and keeps refugees and immigrants from entering our country is illegal, it is unconstitutional, it is immoral, and it must be overturned.

The effects of this order were immediate and terrifying for people in Massachusetts and all across this country. My office got a call from an Iranian citizen who was traveling to Massachusetts to see his daughter who is currently receiving treatment for cancer.

He was denied boarding in Germany and sent back to Iran. We heard from a woman who already has an approved immigrant visa but still hasn't found an airline that will allow her to board a flight to the United States. A Massachusetts resident called because her cousin who holds a student visa was not allowed to board a flight either. Another Massachusetts resident called because her Iranian sisters were denied boarding at London Heathrow. Both have their valid J-1 visas. One is a visiting professor at Harvard, and the other is a postdoc fellow at Harvard Medical. We heard from an Iranian student studying at MIT. She was denied entry on Saturday, and when she tried to return on Sunday, after the temporary stay had been issued, she was denied boarding by Lufthansa. A Massachusetts student on a student visa called because his wife was denied boarding in Switzerland.

None of these people are criminals. None of these people are threats. They are students at some of the world's top universities; they are doctors and scientists at some of the country's best hospitals. Most of them have already been vetted and granted the right to come to America. One is a father who wants to see his cancer-stricken daughter. They are husbands and wives, mothers and fathers, sisters and brothers, friends and neighbors. They are people. They are real people. They are part of what makes Massachusetts great, and they are part of what makes America great.

Donald Trump's radical ban on Muslims isn't in line with American values or with our Constitution. It is also not in line with what the Republican Party stands for.

In the months following the attacks of September 11, President George W. Bush made a point to remind the United States that we were not at war against Islam. In a speech in April of 2002, he said:

America rejects bigotry. We reject every act of hatred against people of Arab background or Muslim faith. America values and welcomes peaceful people of all faiths—Christian, Jewish, Muslim, Sikh, Hindu and many others. Every faith is practiced and protected here, because we are one country. Every immigrant can be fully and equally American because we're one country. Race and color should not divide us, because America is one country.

Do Senate Republicans agree? If so, then come down here and say so. Where are you? Where are Senate Republicans when their Republican President issues an order targeting one religious group?

Let's be clear about what happened here. Keeping the details secret, working with a small group of operatives inside the White House, consulting no experts in diplomacy or homeland security, and getting advice from outsiders with no actual legal authority, President Trump acted unilaterally to issue this order.

Make no mistake, while it may not affect every Muslim in the world, Donald Trump's Executive order is a Muslim ban, and it is unconstitutional.



This is a crisis. The Senate should take up and pass Senator FEINSTEIN's bill to overturn this illegal order right now. What is happening is shocking. It is shocking, but it is not surprising.

Donald Trump is doing exactly what he said he was going to do. During his Presidential campaign, he promised "a total and complete shutdown of Muslims entering the United States." That is what he said. Last year, it seemed like pretty much everyone agreed that this was not acceptable in the United States of America.

Speaker PAUL RYAN declared:

A religious test for entering our country is not reflective of America's fundamental values. I reject it.

Where are you now, PAUL RYAN? Have you rejected President Trump's order to impose a religious test for entering our country? Have you introduced a bill to overturn it? You have the power. Where are you?

As Governor of Indiana, Vice President MIKE PENCE said: "Calls to ban Muslims from entering the U.S. are offensive and unconstitutional." Where are you right now, Vice President PENCE? Have you called to overturn President Trump's offensive and unconstitutional order? Have you asked Republicans to introduce a bill to overturn it? You have a platform. Where are you?

Senate Majority Leader MITCH MCCONNELL called a Muslim ban "completely and totally inconsistent with American values." Where are you right now, MITCH MCCONNELL? Have you rejected President Trump's Muslim ban that is completely and totally inconsistent with American values? Have you introduced a bill to overturn it? You have the power. Where are you?

President Trump ignored these Republican leaders. Today these Republican leaders will not stand up for what is right. President Trump may be willing to ignore the Constitution and the laws of the United States of America, and the Republican leadership in Congress may be willing to ignore the Constitution and the laws of the United States of America, but the American people are not.

This weekend, Americans across this country came together to reject this sort of fear and hate. The American people showed courage, even as the Republican leadership hid out. Crowds of people raced to airports across this country to welcome immigrants and refugees and to demand compliance with court rulings that gave individuals and families temporary relief and to demand that this reckless order be rescinded.

I was proud to stand with hundreds of people at Logan Airport in Boston on Saturday night and then with more than 20,000 people in Copley Square on Sunday. We had one of the biggest demonstrations in the country. I also want to say I am in awe of the hundreds of lawyers and translators who dropped everything and spent sleepless nights in airport terminals and courts

fighting for justice. Because of their tireless work, we have already been able to undo some of the damage caused by President Trump.

While I am encouraged by our victories in the courts this weekend, the Trump administration has derided these judges and, in some instances, refused to follow these orders. This is shocking and unconstitutional. Congress must act. We must act now. Congress must stand up and say to President Trump that this is not who we are. Congress must say to Donald Trump and to the world: We will not turn our backs on lawful immigrants and refugees fleeing murderers. We will not turn our backs on people who risk their own lives to protect our soldiers in Iraq and in the fight against ISIS. We will not give ISIS more recruiting material. We will not promote an imagined religious war between America and Islam. We will stand for our values, for American values, for human values. We will not be divided by hate and fear.

Fifteen months ago, I traveled to the Greek island of Lesbos. This is the first stop for many Syrian refugees as they flee from the terrorists of ISIS. That was where I saw the shoddy, paper-thin river rafts that people cram onto, with nothing more than a hope and a prayer that they will make it across a choppy sea. I saw the little plastic pool floaties that people put on small children, hoping it would be enough to save them if the raft went down.

I met a 7-year-old girl who had been sent out on that perilous journey alone. I thought about what horrors her parents must have faced to hand a wad of cash to human smugglers with only the most desperate dream that their little girl would find something better on the other side.

President Trump is trying to shut the door on that little girl and on countless others who are fleeing for their lives. He is trying to shut the door on children, on doctors, on students, on engineers, on husbands and wives, on grandmas and grandpas. That is not all. President Trump is trying to shut the door on people who risked their lives helping American soldiers, people who face execution in the hands of terrorists if they are sent back.

President Trump is even trying to shut the door on legal immigrants, on students and faculty, on people who work in Massachusetts and across this country, on people who have already been thoroughly screened for entry into the United States and have been granted permanent status to live and work in our country. This has nothing to do with security—nothing.

Little girls fleeing from murderers are not a threat. Elderly grandparents detained at airports are not a threat. Students and teachers and people who work in Massachusetts and across the country are not a threat. Iraqi translators who put their own lives at risk to protect American soldiers are not a threat. We should welcome them. We

should welcome them with open arms. That is who we are.

Voices from across the political spectrum, including many of my friends from across the aisle, have already stepped forward to criticize this order, but criticism is not enough. President Trump's Executive order must be overturned. We must overturn it.

For those who remain unconvinced, I would like to take some time this evening to talk about some of the people who are hurt by the President's reckless, heartless, illegal, and unconstitutional actions. As stories have poured into my office, on the evening news, on social media, we have heard time and again about the consequences of President Trump's reckless and illegal order, and I would like to share some of those stories in my time tonight. I want to read one.

My staff and I have spent the weekend listening to and meeting with people who have been affected. I have seen firsthand the devastating effects of President Trump's actions. I want to start with a story of someone I met at Logan Airport on Saturday night. The story I want to read is from CBS Boston, "Detainee Released After Federal Judge Grants Stay On Trump's Immigration Freeze."

Hamed Hosseini Bay was questioned at Logan Airport Saturday while trying to get back into America after caring for his sick father in his native Iran. Hosseini Bay has lived in the Boston area for approximately nine years. After a judge granted a case brought by lawyers from the American Civil Liberties Union Saturday night, Hosseini Bay was reunited with his wife and daughter, who had traveled with him to Iran but returned two weeks earlier.

He was not angry about his questioning. "Everybody was friendly," Hosseini Bay told WBZ-TV's Jim Smith. "They had to do what they had to do. I'm grateful for all the people back there, but it was chaotic."

Hosseini Bay's wife is now questioning what the future will be like for her family in America. "It's just terrifying how my life has changed in two days, in three days," she said. "I don't know (about the future). Last week everything was normal. I would pick up my daughter from preschool, she was like everyone else, I was like everyone else. But now we're different."

I met with this family. This is what President Trump's order means. It means stopping people like this and telling them that their future is different now in America.

I am going to read another story. This one is from NBC Boston. "Protesters Rally as Doctors, Students Blocked From Entering Country After Trump's Orders."

At Boston's Logan International Airport, at least six people from Iran were detained Saturday after their flights landed in the U.S. A Federal judge in New York issued a temporary stay late Saturday for all detainees affected by Trump's executive orders, which barred all refugees from entering the United States for four months, and indefinitely halted any from Syria. Trump argued the ban is needed to keep out "radical Islamic terrorists."

A tweet by Samira Asgari, an Iranian doctor, stated that she was denied boarding when she arrived for her flight to the U.S.



from Germany. In a Skype interview from Switzerland, Asgari told us she had planned to come to the U.S. to start a study at Harvard Medical School analyzing tuberculosis.

"My view of America of course, doesn't change because of a decision a politician makes. My view of America changes because the land that used to be the land of those who want to be there, who want to do something good to the community and take something good from the community—that picture of America has changed for me," she said.

Several students at Massachusetts colleges also tweeted that they were being blocked from entering the country.

In a statement, MIT officials said they're "very troubled" that Trump's executive order is affecting the university's community and are exploring options for helping impacted students.

Northeastern University in a statement to their community offered support to their students, faculty and staff reminding them of "their commitment to each other."

We believe in the commitment to inform each other, but that is what it is that Donald Trump is trying to destroy.

Another story, from WBUR, a "Somali Family Resettling In Lowell Worries For Other Refugees As Trump Promises Restrictions."

The order will have global implications, including for one newly arrived Somali family now living in Lowell.

The three Ahmed sisters from Somalia huddled on a couch with their mother in a lobby of a busy office. Each woman wore a brightly colored head scarf and winter jacket, and each clutched a plastic bag carrying their personal documents.

They are the most recent refugees to be welcomed at the International Institute of New England's Lowell resettlement office. And, with Trump's refugee restrictions hanging in the balance, they are likely the last Somali family to enter the state for some time.

"My mom and dad fled from the conflict in Mogadishu," explained Hawo Ahmed, 24. She and her twin sister were only 4 months old when their parents fled for Kenya.

Hawo retold the story of her mother, Fatuma, and why she and Hawo's father left in 1993 amid the Somali Civil War.

"She said that it was, like, conflict all over the country," Hawo said. "People were killing each other, like tribes, different tribes were killing each other. Whenever they see you, they kill you, and they even used to come in the houses to rape the girls and kill them. So they had to move."

The youngest daughter, Asha, was born in Kenya, where the girls grew up, and went to school and learned English. Still, they all very much consider themselves Somali.

When asked about their father, one of the young women said she watched him die in 2006 from an asthma attack. She said the family didn't have enough money for a new inhaler.

After beginning the refugee application process in Kenya 6 years ago, the family arrived in Manchester, NH, only a few days ago.

Hawo and Muna said their arrival barely felt real, like a dream come true. And then, Hawo said, as soon as they got off the plane, they saw the news about Trump's executive orders on the airport television.

"Even tears were filled up in my eyes, because I felt very bad for others," she said. "They have more expectations, some were even told where they are going, which city they are going, and if they stop all the things, it's going to be very painful. I just have a very sincere request to the President,

that he should drop out that idea. That is all."

Hawo said that they know many fellow refugees in Kenya who are in the final phases of their application process.

She said her aunt and cousin, who live in a refugee camp in Kampala, Uganda, had only one more interview to complete before they were hoping to meet them in Massachusetts. Now they're not sure what will happen.

"I couldn't sleep last night just thinking about them, and she has been in the process for so long, and we want, if you can help her," Hawo said.

That is what Donald Trump is doing to people around the world.

Another story—WCVB TV.

Trump's executive order worries Massachusetts family awaiting loved one.

With the stroke of a pen, President Donald Trump fulfilled a campaign promise that temporarily bans more than 130 million people from entering the United States.

Several people were prevented from entering Boston due to Trump's executive order.

"We are very worried. We are very concerned," Omar Salem, of Canton, said. "I'm hoping for the best. I'm hoping that I could get a text from him saying, 'I'm here.'"

Salem is anxiously awaiting his brother's arrival back in Massachusetts. The Syrian-born, Boston-based orthodontist was on vacation when the President signed the executive order suspending visa entry from seven countries.

"We didn't know it was going to be that bad and that shameful," Salem said.

Salem's brother thought his green card would be enough to secure his return, but the business owner is now facing uncertainty.

"It always starts somewhere and we see it evolving to become much bigger and much more sophisticated," Salem said.

While Salem is hoping to see his brother soon, his heart is heavy for the millions of refugees and visa holders, who see the U.S. as a sanctuary of freedom and acceptance.

"I really call it un-American to do this with the stroke of a pen," Salem said.

The seven countries included in the executive order may be just a starting point as the order left room for a broader ban.

That is what Donald Trump is doing around the world.

Another story—this is a Facebook post from Niki Rhamati, a student at MIT.

I just got back home (Tehran) and I figured I should break the silence. I want to start by saying how grateful I am to all the friends, faculty, alums, sorority sisters, staff and admin at MIT and other parts of the US who have contacted me in the past couple of hours. My inbox is flooded with messages and emails of love and support. I am truly speechless, grateful and proud to be part of the MIT community. I have never been subjected to any form of religious or racial discrimination at MIT. Our community is extremely diverse, inclusive, supportive and accepting of individuals and their backgrounds. But I cannot believe all this love is coming from the same country that banned me from entering its borders just a couple of hours ago.

I don't want to get to the political mess that has created this situation for me and many others. I just want to share what millions of other people and I are going through, and simply what it feels like to be an Iranian and targeted to such racism and discrimination—things I have been very familiar with most of my life.

I currently have a valid multiple entry student visa that I've used for the past year and a half and have traveled very smoothly

(thank you Obama!). I came home (Tehran) to visit my parents and family. I suspected I would not be able to travel as easily as before with the new President, so I extended my stay.

Here's the story of what happened this past week. On Wednesday, I woke up to the announcement of the new Executive Order by President Trump that would restrict entry for Syrian refugees and citizens of seven majority-Muslim countries (Iran, Iraq, Libya, Sudan, Somalia, Syria, Yemen) for 30 days. As BBC Persian, one of the reliable sources here, contacted immigration attorneys and Politicians, this order was read and interpreted as, "issuance of any types of immigrant and non-immigrant visas would be banned for citizens of those countries for 30 days."

The President had not yet signed this order so the ban was not yet effective. I changed my flight to another one that would get me to Boston on Saturday night with a transfer in Qatar. It was rumored that the President signed the Order once I was on my way to the airport, and it was executed while I was in my first flight to Doha. But I looked on the White House website, BBC and Washington Post and nothing had been published yet. When I got to Doha, I was stopped at the gate for my U.S. flight.

We found out that the ban (which is effective for 90 days now instead of 30), included everyone currently holding an immigrant, student or tourist visa as well as Green Card holders. We heard a lot of people were deported at the American border in different cities.

About 30 other Iranians and I were stuck in Doha, waiting for flights back to Tehran. Among them were old couples trying to go and see their children in the US, 2 old women trying to be with and help their pregnant daughters there for their third trimesters, students who had just gotten their visas and families who had sold their belongings back home so they could build a better life in the US. All these people had gotten visas legally and had gone through background checks. The President had said that the goal of this Order was dealing with illegal immigration. Do any of the people sound like illegal immigrants?

This will not secure the borders from the terrorism and illegal immigrants. It will only increase racism in the American society. The President is trying to make Islamophobia a norm and policy by which he wants to lead the country. There has not been a single terrorist activity from those 7 countries listed above, in the US.

If you feel like helping millions of people facing this, please contact your representatives or senators in your areas and ask them to fight against this absurd ban. Reach out to friends and ask them to do the same. Please also let me and everyone else know how we can contribute to this.

As I was stuck in Doha, with other Iranians, I was telling stories of interactions with many of the Americans I know. Please know that I love and respect all of you because you have always treated me with love and respect.

This is who Donald Trump is trying to keep out of the country.

Another story—this time from CNN.

A Syrian teen was headed to MIT and then came the ban.

Mahmoud Hassan was ecstatic when he got the acceptance letter.

All through high school, the 18-year-old had one goal in mind: get an engineering degree from the prestigious Massachusetts Institute of Technology.

But Hassan is from Damascus, Syria. And Friday, he had his hopes crushed through no fault of his own.

When President Trump signed the executive order on immigration, temporarily banning citizens from certain Muslim-majority countries, Syria was one of the seven.

"Now Trump's orders will prevent me from going there," he told CNN. "My dreams are basically ruined."

Hassan had been looking forward to his journey to the Cambridge campus in the fall. He says he had been offered a scholarship.

He's read and reread that letter from MIT dozens of times.

"Dear Mahmoud, On behalf of the Admissions Committee, it is my pleasure to offer you admission to the MIT Class of 2021! You stood out as one of the most talented and promising students in one of the most competitive applicant pools in the history of the Institute."

Hassan doesn't know what he'll do next.

This is who Donald Trump is determined to keep out of America.

Another story. This one is from our office.

A constituent from Concord, MA, came into my office in Boston just this morning—Monday, January 30, 2017. She came looking for more information on the current status of the Muslim ban, on behalf of her husband, who was originally born in Iran.

She explained that when he was young, he received refugee status in Australia for religious persecution, as he was raised in the Baha'i faith. He now has dual citizenship in Iran and Australia and is a green card holder of 10 years here in the United States. He is the vice president of a startup company that requires him to travel outside the country often but has decided that, because of the latest Executive orders, to stay grounded in the United States until further notice. He is currently safe in the United States.

Emam has also decided to begin his U.S. citizenship application, and the couple have two young children whom they are raising in the United States, afraid to travel outside the United States on business because of President Trump's ban.

Another story. This is a story via the Wall Street Journal.

Iraqi interpreter Laith al-Haydar received multiple death threats for working with the American military at the height of the war in his country. In return for helping the U.S., he and tens of thousands of other Iraqis were promised U.S. immigration visas.

Nearly four years after he applied, the 41-year-old father of two is still waiting for a visa—and now he faces a new setback: President Donald Trump signed an order suspending immigration from several countries with a Muslim majority, including Iraq, and a temporary ban on all refugees.

Mr. Haydar is among roughly 58,000 Iraqi applicants for U.S. immigrant visas and refugee resettlement under the federal programs that promised to fast-track entry for Iraqis who worked with the U.S. government and other institutions deemed critical to the U.S.-led effort in Iraq, according to the State Department. A similar program for Afghans who've worked with the U.S. government may also be at risk.

At least one Iraqi and two Afghans who worked with the U.S. government and also qualify for expedited immigration visas were turned away from American ports of entry on Friday and Saturday, a State Department official said, adding that several more were prevented from boarding planes to the U.S.

A substantial backlog of applications remains in part because Congress limits the number of visas that can be granted each year. Frustration with visa delays has now been aggravated by Mr. Trump's executive orders.

Critics of the visa ban say it abandons thousands of valuable allies abroad and risks deterring such people from working with the United States in the future at a time when Mr. Trump is promising a more aggressive military posture abroad.

"These guys laid their lives on the line alongside American soldiers and got paid a fraction of what I made," said Jake Thomas, a U.S. Army veteran who worked with Mr. Haydar in Iraq and who now lives in Georgia. If they want out, we need to honor our promises and get them out. Mr. Thomas is one of several U.S. military officers who have written letters to the State Department appealing for Mr. Haydar to get a visa. He said he sympathizes with some of the views regarding immigration that Mr. Trump campaigned on, but he added that Iraqis like Mr. Haydar "were singled out and shot at for serving the United States and we made a promise." Mr. Thomas said he knew of five Iraqi interpreters who were killed in the 15 months of his last tour in Iraq, including 3 who were gunned down in their homes for working with the U.S. military.

President Trump continues to ignore the damage he is doing to the safety of our country and our servicemen and servicewomen overseas. Brave men and women who risked their lives to help U.S. soldiers in Iraq have already been caught up in the President's unconstitutional order.

I just want to associate myself with the man who said—who had been there, the soldier who had been there—that America made a promise. I believe in an America that keeps its promises. Donald Trump's order breaks our promises.

Another story, this one from Marcolla via PRI:

The Iraqi linguist who worked side by side with US troops in Baghdad put her life on the line for America's war effort.

Now her family is in danger back in Iraq and she fears her efforts to get them to safety in America are all but doomed.

"I'm scared. The chance to see my family reunited again is very slim now," she says. "People like me and my family who helped and supported America, I believe we should be reunited. The history of the United States is to support people and help them, not to separate the families."

Marcolla was just 18 and living in Baghdad shortly after American tanks rolled into the Iraqi capital in 2003. She was recruited to work for the US military. Her role caught the attention of Iraqi militants. They sought revenge. They burned down Marcolla's house, kidnapped her father and murdered her husband.

Fearing for her life, she applied for a US visa. And in 2013, after seven years of waiting, she received the permission she had been waiting for. But Marcolla had to leave her parents and siblings behind, even though she says they too were in danger because of her service with US troops. She says she tries to talk with her family in Baghdad daily. "Every day their lives are in danger," she says. "They have to change their address, move from place to place. They live in the unknown."

Marcolla is worried that the refugee ban proposed Wednesday means her parents and siblings will never reach American soil.

"We already been in extreme vetting," she says. "I understand and I respect the US rules and the safety and national security. . . . I understand that and I respect that. However, there are people in Iraq who have a long history of supporting America in Iraq and Afghanistan—the linguists, the translators—they deserve and they need their papers to be expedited."

These are the people Donald Trump is keeping out of America.

Another story from Mother Jones:

"Immoral," "Stupid," and "Counterproductive": National Security Experts Slam Trump's "Muslim Ban."

"At the moment we need them most, we're telling these people, 'Get screwed.'"

While Trump's executive order claims to be in the interest of "protecting the nation," experts in national security and counterterrorism who spoke with Mother Jones argue that it poses potentially disastrous immediate and long-term security threats to the nation and US personnel overseas.

"Not only is it immoral and stupid, it's also counterproductive," says Patrick Skinner, a former CIA terrorism case officer who now works at Soufan Group, a security consulting firm. "We've got military intelligence and diplomatic personnel on the ground right now in Syria, Libya, and Iraq who are working side by side with the people imbedded in combat and training and advising. At no time in the US's history have we depended more on local—and I mean local—partnerships for counterterrorism. We need people in Al Bab, Syria; we depend on people in certain parts of eastern Mosul, Iraq; in Cert, Libya. At the exact moment we need them most, we're telling those people, 'Get screwed.'"

Kirk W. Johnson, who spent a year on reconstruction in Fallujah in Iraq with the US Agency for International Development (USAID) echoes Skinner's fears: "This will have immediate national security implications, in that we are not going to be able to recruit people to help us right now, and people are not going to step forward to help us in any future wars if this is our stance."

The US-led war on ISIS is but one front of a constellation of fights against extremist groups that could be hampered by Trump's decision. "The US is officially banning people in these countries at the same time we are trying to build up local support to fight ISIS," Skinner said. "It takes a long time to build trust with these people. You have to start over, say, 'Okay, starting now, trust me.' How many times can you get away with that?" It also sends a message that groups like the so-called Islamic State can exploit. Elizabeth Goitein, the codirector of the Brennan Center's Liberty & National Security Program, says, "The message this projects is that America sees Muslims as a threat—not specific actors who are intent on committing terrorist acts. The message that America really is at war with Islam will be ISIS's best friend."

BuzzFeed reporters Mike Giglio and Munzer Al-Awad spoke with five current or former ISIS fighters who cited Trump's divisiveness as a factor that will weaken America. They added that his rhetoric against Muslims will help them reinforce their narrative that America and the West are fighting not just terrorism, but Islam itself. "Trump will shorten the time it takes for us to achieve our goals," said one.

Meanwhile, the very allies who have operated alongside US personnel in war zones for years—contractors and translators like Darweesh—are once again being abandoned. For the past decade, Johnson has been leading an effort to resettle Iraqi allies, many of whom, he says, face torture, kidnapping, and

death after collaborating with American soldiers. It all started in 2006 when he heard from an Iraqi USAID colleague who had been identified by a militia. The militia left a severed pig's head on his door step, along with a message saying that it would be his head next. Despite his years of helping the United States, the US government offered no help, and he had to flee the country with his wife.

"We are not going to be able to recruit people to help us right now, and people are not going to step forward to help us in any future wars if this is our stance."

This is what Donald Trump's Executive order is doing. It is putting Americans at risk around the world.

Another story from Newsweek: "Spy Veterans Say Trump's Muslim-Country Visa Ban Will Hurt Recruitment."

President Donald Trump's temporary ban on immigrants from seven Muslim-majority nations takes a major recruiting tool out of the hands of US spy handlers, say a growing number of intelligence veterans.

For decades, CIA and US military spy recruiters have held out the promise of eventual resettlement in America to induce foreigners to turn coat and work secretly for the United States against terrorist groups or repressive governments. In reality, many were caught before they ever made it, but during the Cold War countless Eastern Europeans living under communist rule, and more recently, Muslims across the Middle East, North Africa and Central Asia, have worked secretly for US spy agencies on the promise that they or their children would eventually be extracted. Another effective recruiting tool for US operatives has been to offer their agents' families medical care or education in the United States.

Those inducements, a primary recruiting tool in Muslim land, were effectively suspended with Trump's executive order Friday to temporarily ban immigration from seven critical targets of the U.S. spy agencies—Iraq, Iran, Syria, Yemen, Sudan, Libya and Somalia. The departments of State and Homeland Security, the order stipulates, may allow entry from those countries on "a case-by-case basis," but it's a balky arrangement not likely to appeal to the managers of the CIA's highly secretive operations directorate, its espionage and covert action arm.

Intelligence veterans with vast counterterrorism experience are expressing dismay about how the order will affect their spy operations.

"These individuals often put themselves at the risk of death for working with the U.S., and without the ability to offer them safety, we will be reducing the likelihood that those in countries targeted by the ban will work with us in the future," Phillip Lohaus, a decorated veteran of the U.S. Special Operations Command and CIA, tells Newsweek.

"We relied heavily on local translators, many of whom have gone on to forge productive lives for themselves here in the States," Lohaus added. "Why would they take such a risk if they knew that they would face retribution or death by staying in their home countries?"

"Absolutely," agreed Cindy Storer, a former member of the CIA intelligence team that tracked al-Qaeda leader Osama bin Laden. "It hurts," she said in a brief interview. "Capital h-u-r-t-s." Imagine, she said, if the ban had been in place when Jamal al Fadl, a Sudanese Muslim and key al-Qaeda operative, showed up at the American embassy in the mid-1990s and volunteered to defect to the United States. FBI counterterrorism agents brought him into the U.S., where he provided "a major breakthrough of intel-

ligence on the creation, character, direction, and intentions of al-Qaeda," according to the official 9/11 Commission report.

And that is what Donald Trump is putting an end to.

Another story from the Washington Post: "Dissent memo circulating in the State Department over Trump's policy on refugees and immigrants."

For this one, Foreign Service officers have written a memo—and they shared it with the Washington Post—in opposition to President Trump's Executive order. Here are excerpts from a leaked dissent memo by U.S. Foreign Service officers regarding the Executive orders:

It will immediately sour relations with these seven countries, as well as much of the Muslim world, which sees the ban as religiously motivated. These governments of these countries are important allies and partners in the fight against terrorism, regionally and globally. By alienating them, we lose access to the intelligence and resources we need to fight the root causes of terror abroad before the attack occurs within our borders. It will increase anti-American sentiment. It will have an immediate and clear humanitarian impact. It will have a negative impact on the U.S. economy.

Looking beyond its effectiveness, this ban stands in opposition to the core American and constitutional values. This ban stands in opposition to the core American and constitutional values that we, as Federal employees, took an oath to uphold.

The United States is a nation of immigrants, starting from its very origins. The concept that immigrants and foreigners are welcome is an essential element of our society, our government, and our foreign policy. So, too, is the concept that we are all equal under the law and that we, as a nation, abhor discrimination, whether it is based on race, religion, sex, or national origin. Combined together, that means we have a special obligation to maintain an immigration system that is as free as possible from discrimination, that does not have implied or actual religious tests, and that views individuals as individuals, not as part of stereotyped groups.

Banning travelers from these seven countries calls back to some of the worst times in our history. Laws enacted in the 1920s and which lasted through the 1960s severely restricted immigration based on national origin and, in some cases, race. The decision to restrict the freedom of Japanese Americans in the United States and foreign citizens who wanted to travel to settle in the United States during the 1940s has been a source of lasting shame for many in our country. Decades from now, we will look back and realize we made the same mistakes as our predecessors: shutting borders in a knee-jerk reaction instead of setting up systems of checks that protect our interests and our values.

We do not need to place a blanket ban that keeps 220 million people—

men, women, and children—from entering the United States to protect our homeland. We do not need to alienate entire societies to stay safe. And we do not need to sacrifice our reputation as a nation which is open and welcoming to protect our families. It is well within our reach to create a visa process which is more secure, which reflects American values, and which would make the Department proud.

Again, this is a dissent memo circulating in the State Department over President Trump's policy on refugees and immigrants.

And this is what Donald Trump's Executive order does; it makes us less safe. It is wrong.

Another story, from a Boston Globe op-ed, Matt Gallagher, who is a veteran. The headline: "Trump rejects the Muslims who helped us."

The bravest person I've ever known went by the nickname Suge Knight. He was as physically imposing as the infamous music producer, but he was calm and bighearted, with a smile as wide as a canyon. A Sudanese Muslim, Suge served as my scout platoon's interpreter during our deployment to Iraq in 2007 and 2008, and he went on every patrol and mission with us, no matter the circumstances. He'd survived multiple roadside bomb attacks, had lost three young children to the bombings of the first Gulf war, and yet still believed in America and what America represented to him and his family.

Though he doubted he'd ever get to our country, he aspired for his children to do so. "Perhaps my grandchildren will go to school with your kids," he once told me with typical paternal charm. "I'd like that very much." I felt the same. We all did. He was one of us.

President Trump's recent executive order on Muslim refugees and immigrants works to ensure that such a dream never comes true. Muslim allies, including interpreters like Suge in Iraq and Afghanistan, have done more for the United States during the past 16 years of war than most Americans will even think of doing their entire lives. Yet we're abandoning them in their hour of need, wrapping ourselves up in a big, billowing flag of fear and pretending it's for safety. We're also abandoning Middle Eastern refugees fleeing the very terrorists we've professed to combat, who have seen their homes and lives destroyed and now seek shelter on our shores the same way immigrants have for generations.

This is a national disgrace. The president's executive order betrays American values and weakens our national security all at once. Our country was founded as a haven. Trump and his administration seem intent on turning it into a medieval fortress.

In November, shortly after the election, I joined a nonpartisan group in Washington, D.C., to advocate for Muslim refugees and immigrants—Veterans For American Ideals, a project of Human Rights First. There was a gray pall over the city, and a deep sense of uncertainty for what awaited, even in Republican offices. No one knew then what we all know now: Trump really did mean to do what he'd said on the campaign trail.

Time and time again, Democrats and Republicans alike told us the United States already has in place the best and most thorough refugee and immigrant screening process on the planet. A prominent Republican adviser assured us that Trump's "extreme vetting" idea was just a ploy to rustle up votes. A national security official suggested that we should be more thankful Congress

had saved the Special Immigrant Visa program for interpreters and translators who served with the US military, and maintained that the amount of issued visas was sufficient, despite the overflowing backlog of requests.

A shouting match ensued. Enraged veterans can have our own sort of diplomatic style.

I look back at that week with both pride and despondency. On one hand, to see so many young American veterans standing up for the principles of our nation—often the very same principles that led them to enlist in the military to begin with—was stirring. We tried, sometimes successfully and sometimes not, to convey to politicians the importance of remaining true to our Muslim brothers- and sisters-in-arms. We also tried to remind them of the secondary and tertiary effects of not honoring the bonds forged in combat. On the other hand, bearing witness to how easily dismissed entire lives and formative experiences can be by fellow citizens (let alone elected representatives) was rather dismaying.

Even in our era of yellow-ribbon patriotism and star-spangled grandiosity, veterans' stories of heroic Muslim translators and brave, dedicated local Iraqis and Afghans were, sometimes, met with hollow stares and empty platitudes in Washington. What we were telling these officials defied their preconceived notions about vets, and Muslims, and how vets of the terror wars were supposed to feel about Muslims. What we were telling them was that American security was dependent on opening our doors to as many vetted refugees and immigrants as possible, not barricading ourselves and saying, "We're not that America anymore." What we were telling them was that we knew, more than any other group of Americans, what the hearts and souls of the Middle Eastern people were, and that those hearts and souls were so very much like our own.

These are just some of the stories of what Donald Trump is doing to people here in America, to Americans abroad, and people around the world.

This Executive order is illegal. It is unconstitutional. It is immoral, and it must be overturned by Congress.

I understand that under the rules, a majority can stop any Senator after speaking for an hour postcloture, but there is a bit more I would like to say.

Therefore, I ask unanimous consent to speak for up to 10 additional minutes.

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

Ms. WARREN. Thank you, Mr. President.

I will continue with the story that was published this morning in the Boston Globe. This is from a veteran who was writing of his own experiences.

He says:

Trump's executive order, which seeks to "keep radical Islamic terrorists out of the United States," will only embolden those very same people, who already had a near-zero chance of gaining entry to our country to begin with. This order proves too many ISIS and al-Qaeda talking points true about what the United States really is, and will serve as an excellent recruiting tool for those organizations and others.

This executive order isn't about national security. It's about fear-mongering for ends we can only guess at.

This shouldn't be a partisan issue. As my friend Phil Klay, winner of the National

Book Award and a Marine veteran, pointed out last year, Ronald Reagan's "city on a hill" speech outlined an America "For all the pilgrims from all the lost places who are hurtling through the darkness toward home."

"I get that people are scared," Klay continued. "But it's only during frightening times when you get to find out if your country really deserves to call itself the 'home of the brave.'"

Donald Trump's zero-sum worldview and flimsy understanding of the intricacies of modern war and terrorism threaten to undermine our republic. His policy on Middle Eastern refugees and immigrants must be checked and resisted by citizens of all political stripes, legislators of both major parties and the judicial courts.

After 16 years of war, much of my generation of military veterans stands with the Middle Eastern people we sweated, labored and bled with, and sometimes died for. It's going to be a fight, but it's one we're not going to lose. The legacy of America's past is at stake, as well as the soul of its future.

Matt Gallagher is the author of the novel "Youngblood" and the memoir "Kaboom: Embracing the Suck in a Savage Little War." He is an Iraq war veteran and a former US Army captain.

And he wrote this morning in the Boston Globe.

We are here tonight because this country is in crisis. We are here tonight because it is a constitutional crisis, because it is a moral crisis. We are here tonight to stand up and ask the rest of the U.S. Senate to overturn Donald Trump's Executive order. We have that power. All we need is the courage, the courage to stand up and do what is right. This is why we came to the U.S. Senate, to stand up and do what is right.

I call on the rest of the Senate to overturn Donald Trump's illegal, unconstitutional, and immoral Executive order.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I rise in gratitude for the opportunity to speak on the Senate floor. I want to express a lot of gratitude toward the Senator from Massachusetts. She has been an advocate for the truth of our country. She has spoken here on this hallowed floor. I have now watched her speak in the streets, at airports, at rallies. She is one of those people—like so many Americans, literally millions of Americans over the course of these last few weeks—who is saying with the force of conviction that they will not be silent when the cause of our country is at stake.

I join with her tonight, along with some of my other colleagues, to stand up and really speak from the heart. I think this floor has seen many partisan speeches, but this is not going to be about Republican or Democrat. This is not a speech I ever imagined I would be giving in the U.S. Senate. I never thought I would be here today talking about something that quite honestly was unimaginable to me just months ago.

This is a time I could not have foreseen, and I fear my generation of

Americans maybe, perhaps, should have known that moments like this are possible; that we who believe in the values of our Nation, we who believe in the ideals enshrined in our Constitution, such as religious liberty, we should know that every generation of Americans has to prove worthy of these ideals and stay forever vigilant in their protection and never get so complacent as to think that this could never happen. The ideals we enjoy were fought for and struggled for and often bled for and died for. We of our generation who have the privileges we enjoy, the blessings of liberty that we luxuriate in, we have the obligation to stay the course to ensure that these moments never come, and when they do, that we stand with conviction to speak out against them, work against them to resist any retrenchment of American values.

What Donald Trump did in this Executive action issued this past Friday is, in no uncertain terms, a break with American policy. I believe it is a violation of our very Constitution, that it is illegal, unconstitutional, as well as immoral. More than this, it very specifically makes this Nation less safe and not more so. I want to repeat that. It makes this Nation less safe and not more so.

The ban was put forth in a climate of fear, intending to try to appeal to people's fears, trying to tell people that doing this Executive order was going to make us safer, but in its essence it is illogical when you look at the facts. Not only should it be known that it blocks immigration from seven majority Muslim countries—seven countries. Not a single perpetrator of terrorist attacks on American soil has come from these countries, dating back to well before 9/11. In fact, well before 2000, well before the nineties, well before the eighties and, in fact, not since the seventies, in over 40 years, no American has been killed on American soil by any of these countries in terrorist attacks.

In addition to that, what this ban is doing is it is shutting down the Refugee Resettlement Program for about 4 months and suspends the Syrian refugee program indefinitely, despite the fact that individuals entering the United States as refugees undergo the most heavily vetted resettlement process of anybody traveling into the United States.

So understand this. If you are trying to come into this country through student visas, Visa Waiver Programs, there are so many ways to come into this country without going through the refugee process, which takes between 1 year and 3 years, and you are not just going through the vetting of the Department of State but also the Department of Defense, the Department of Homeland Security, the FBI, the National Counterterrorism Center, numerous agencies for over up to 3 years are vetting you. Let me tell you right now, again, people who go through this

program, history is showing, you have not seen in any recent years that folks going through these programs pose a terrorist threat or are taking American lives. So the very argument being used to push this ban is illogical and has no basis for any of the experiences we have had in this country.

A former chief counsel for U.S. Citizenship and Immigration services remarked that no competent terrorist would choose the U.S. refugee process as a preferred strategy for gaining entry into this country. Subjecting yourself to the 1 to 3 years of vetting from multiple agencies, more than any other way to enter, is not a way for terrorists to try to gain access to this country at all.

What we see is that this terrorist ban is putting focus—excuse me, this Executive order is putting focus in areas that do not produce safety but do have the collateral consequence of making us less safe.

The order indefinitely suspends the resettlement of Syrian refugees in the United States. The majority of these folks are women and children who are fleeing barrel bombs, chemical attacks, military attacks on homes and schools. They are fleeing famine, they are fleeing starvation, they are fleeing the same violent extremism that we ourselves are trying to fight against. While the Syrian people face violence, terror, and oppression, the President has chosen to equate helpless refugees with those who are actually perpetrating the terror. Despite the fact that we have this stringent years-long vetting program for Iraqis and Afghans who risked their lives to help Americans by acting as interpreters, the ban ends—astonishingly, it ends a Special Immigrant Visa Program and substitutes it with nothing.

What is this Special Immigrant Visa Program that many of my colleagues have spoken about? It is a program that is specifically there for Iraqis and Afghans who helped America and put their families in danger, who put their necks out for us. They put themselves out there to assist our servicemen and servicewomen. It actually is there to help people who, because of their service to us and our country, now have their lives endangered where they are.

I want to read a series of tweets just yesterday from Kirk Johnson, a former USAID Administrator in Iraq who wrote about these folks who put themselves on the line for Americans who are our allies and our friends. This is what Kirk Johnson wrote:

I served in Iraq as USAID's man in Fallujah. Lived alongside Marines and interpreters as they fought terrorists.

Over 100,000 of these Iraqis risked their lives for us during the war. They bled for our country.

You said, before signing—

He is talking about President Trump—

“We only want to admit those into our country who will support our country, and love deeply our people.”

And what Kirk Johnson wrote follows:

I'd like you to know [Donald Trump] about some of these people.

“Homeboy” lost his leg dragging a wounded U.S. SSgt from MN out of the field of fire. He spent 4 years being vetted before coming here.

Hossam helped us build schools. When insurgents found out, in Oct '06, they left a severed dog head on his front step that said “run.”

Faisal, an interpreter for the troops you command [Donald Trump], died of a suicide bomb on 3/14/2008.

Mohammed was assassinated when terrorists, who wanted to kill the “traitor” booby-trapped his house in Jan 2008.

Ali had both his legs amputated by an IED blast while working as an interpreter in Nov 2007.

Hameed died of a gunshot wound to the head while helping our troops in July 2007.

I could do this all day, sadly.

He wrote in his remarks. He goes on to say:

Those that helped us were Christians, Muslims, Yazidis, atheists, you name it.

These people in Fallujah and the surrounding areas were our allies.

When they ran through gunfire to save our troops, they didn't think about such labels.

These Iraqis believed in America. They loved our country. They lost their country as a result of the choice they made to help us.

Your signature [Donald Trump] just banned them.

He continues:

I have heard from many, many soldiers and Marines (some of extremely high rank) who believe this is a huge mistake.

One senior military officer with extensive experience in Iraq and Afghanistan told me it was “heinous and counterproductive.”

Now why is it counterproductive? Well, for one, when we are conducting dangerous missions, when we are relying on people in country to assist us with our counterterrorism efforts, if they are going to take that risk, put their lives on the line, be subjected to terrorism themselves, there should be a process that allows them, after proper vetting, to get into this country. That has been American policy. Even people who have been threatened, victimized, and persecuted can't just walk into our country because some of our high-ranking Marines say so. They still go through vetting that often takes years. That is the process. It is a process that Donald Trump has now stopped.

Yesterday a report noted that radical jihadists—the people we are fighting against, the terrorists intending to kill us—were already using this Executive order as a victory, proof that the United States is at war with Islam. Now some people say that claim is hard to make. This is just banning people from seven countries. Well, look a little closer at the Executive order. There are exceptions made for non-Muslims in those countries.

Imagine this. We are the United States of America. Enshrined in our Constitution is this idea of freedom of religion; that there is no religious test to vote, there is no religious test to have citizenship, there is no religious

test to enjoy the richness of a nation that believes in religious liberty. But in one action by the President of the United States, who claims to be concerned about terrorism from these countries, he says: I am going to stop people from entering. Oh, wait a minute, only Muslims. Christians are welcome. If that is not a violation of core principles of freedom of religion that there should be religious tests to enter from these countries—that is an assault on all we proclaim in our country to be our core values.

This is not missed by our enemies. They are now trying to say this isn't a war between America and ISIS. This isn't a war between America and radical jihadists. They want, as a propaganda tool, for people to believe that this is a war between the United States and Islam, between America and a religion. That is a lie. But when Donald Trump takes actions like this that specifically target people because of their faith, he is playing into the hands of the propagandists who seek to hurt us.

National security experts from across the political spectrum, from Republicans and Democrats, have spoken out against this order on this basis and on how it will affect our security as a country.

The former Director of the CIA, Gen. Michael Hayden, said of this order that it “inarguably has made us less safe.”

Those people who want to help us, who want to serve with our marines, who want to be interpreters, who want to stand up for America, what are they to think now when America has shut its doors, when they have watched others do this, and now they can't gain access to this country? What about those allies of ours who say that the great United States of America is standing up against terrorism and Muslim leaders in other countries? But it is not about Islam; it is about the people who are conducting vicious terrorism, which is a sin on a peaceful religion. What can our allies say now, when we have specifically targeted an Executive order from our President not at a country but at a people who pray a certain way in that country?

What are we to think in the United States? This great Nation born from the ideas of liberty and freedom—freedom to pray as we want—what are we to think?

Despite all of the evidence to the contrary, just 2 days after President Trump instituted this ban, he remarked: Hey, this ban is going “nicely.” Earlier today, President Trump's spokesman referred to those being unlawfully detained as just being “temporarily inconvenienced.”

We know that the reality of the situation is much different for the families and individuals across the globe who are affected. Many of them are permanent residents and green card holders for whom this Executive order has amounted to a door slammed in their face by the country that is supposed to represent the shining beacon on the planet Earth of liberty and hope.

Hundreds of people of seven different nationalities have been trapped at American airports. Many of them were detained for hours on end without access to lawyers; they were handcuffed and interrogated; some were immediately deported, while many more have been turned away at the doors to their flights bound for the United States. These are people who followed all of the rules, who went through extensive vetting, who upended their lives—doors slammed in their faces.

I am sorry, but this is not an inconvenience. This is a denial of process, a denial of procedure; it is a denial of basic liberty and a violation of our principles.

It is no wonder, though, that judges across the country began issuing stays within hours of this order becoming effective. As we saw in New York, how people like Hamidiah Al Saeedi, the 65-year-old mother of a sergeant—65-year-old mother of a sergeant in the 82nd Airborne Division of the U.S. Army, who traveled from Iraq to see her son for the first time in 5 years. A mother of a sergeant in the 82nd Airborne—someone who should be honored—lawfully entered the United States, and because of this order, she was detained for 30 hours, denied a wheelchair, and handcuffed, before her release.

On Saturday night and early into the morning, I saw Customs and Border Patrol officials at Dulles. I left Washington, DC, and drove to Virginia to go to Dulles Airport. I saw Customs and Border Patrol officials seemingly defy the orders coming from a Federal judge to at least permit all legal permanent residents in detention access to legal counsel. I held the judge's order in my hands. Because of the kindness of a local law enforcement officer who was stationed in Dulles, I was able to shuttle to Customs and Border Patrol, and I was then able to submit handwritten notes and questions to the officials who refused to meet with me. I did not get much of an explanation as to why they were defying a clear order from a Federal judge. Whether or not this was a case of bureaucratic confusion or a message from the courts getting lost, Federal law enforcement officers, under the supervision of the Department of Homeland Security, ignored and defied the orders of a Federal judge.

To me, this is more reason for outrage. In a Nation with three branches of government, the judiciary with a clear role giving an order to the executive branch, I believe the defiance of that order also was unconstitutional.

Access to counsel is a principle in our democracy. It is about fairness and due process. Failing to allow access to counsel, to me, seems a clear violation of constitutional norms and ideals. The judge obviously believes so, and that is why he ordered counsel to be provided.

Still, right now, we don't know how many people are being detained across the country in the wake of this Execu-

tive order or how many were immediately and quietly deported once they came here again, thoroughly vetted, in accordance with the law, but they were still deported upon their arrival in this country. I think Congress deserves answers. I wrote to Homeland Security Secretary John Kelly earlier this evening to seek them.

This mistreatment of any legal permanent resident or visitors to this country is wrong. It is un-American. It undermines the truth of who we are. It is patently unacceptable.

This Executive order has treated green card holders and immigrants in this Nation as if they were criminals. It has torn families apart across the world and pulled the rug out from families who were preparing to begin a new life in the United States of America. And this order has betrayed some of our closest allies—men and women who risked their lives to help American servicemembers deployed often on hostile soil. Ending the special immigrant visa programs established to help Iraqis and Afghans who risked their lives to help American forces is unacceptable. The United States cannot turn its back on those who stepped up and stepped in when we needed them most.

Just this morning, I read about an Iraqi man, Sami, who had risked his life to work with the American Government in Iraq. After waiting 7 years to gain entry, going through a laborious process of vetting under the special immigrant visa program, he and his family finally got the OK, and they were ready to start their new lives in America. On Saturday, he and his wife and two daughters had flown from Iraq to Istanbul, and they were sitting in their seats ready to take off when they were removed from the plane by security officials. Foreign Policy magazine reported that, through tears, Sami's 7-year-old daughter asked, "Why don't they want us in America?"

American servicemembers and veterans are joining a growing core, speaking out against this misguided decision which threatens the common-sense program that helps our military do their jobs.

Take Zachary Iscol, a former Marine infantry officer who wrote about some of the Iraqis he worked with who had risked everything to help the United States. He told the story of one man, Frank, who had served as an interpreter for his Marine Corps unit and, in doing so, had taken a bullet in his leg. Frank had remained in Iraq since then. Zachary wrote:

He was still living in Baghdad with daily fears for his and his family's safety. After six years of vetting, including what seemed like countless interviews and background checks by various government agencies, he had finally been cleared to come to the United States with his pregnant wife and 18-month-old son.

Zachary went on to write:

My wife and I began to prepare our guest room for their arrival. But now, because of a

new executive order by President Trump, Frank is no longer welcome.

This is an American military man, preparing to have these folks who put their lives on the line for him, stay in his home.

This special visa program is why people like Mohammed and Saif Alnasseri, whom I am proud to call Jersey residents—two of my constituents—were able to come to this country. I would like to share a little bit about this family.

Mohammed Alnasseri was finishing high school in Iraq in 2003 when the Americans arrived. As an English speaker, Mohammed began helping the Americans stationed near his neighborhood, working for free as their neighborhood translator. When the unit he had become friends with left, he decided to apply for work as an official interpreter with the U.S. Army. By 2004, he had been sent to Fallujah to work with and help protect American military fighting there. Because of his work with the American military, he recounts receiving hundreds of death notes, threatening not just his life but the life of his mother and his family.

He returned to Baghdad where he worked, despite these threats, as a contractor with an American company until one day he was targeted and almost assassinated in his car. He knew at that point, with the death threats and the assassination attempt, that he had to get out of the country.

After moving to Australia, his sister informed him about America's special visa program, so he applied, and 2½ years later he was able to join his family in the United States.

In a call with my office just earlier today, he wanted to make it clear that he arrived in the United States on July 3, and by August 10, he had started his job. He remarked to my team that he couldn't understand why anyone would think he was coming to America because it was easy or because he wanted something. He spent most of his savings trying to get to America, and he had never taken any benefit since arriving here.

Mohammed met his wife in New Jersey and now lives in our State, works at Costco, and is working to obtain his citizenship. He shared that this Executive order made him more sad than scared and that it simply didn't make sense to ban regular, hard-working people who are also afraid of terrorists, persecuted by terrorists, almost killed by terrorists, and who had done so much to help our country. It made no sense to them.

This is what he said: "We ran away from these people. I paid all the money I had to leave." He did that for the safety of his family.

Mohammed's brother is now a proud American citizen, father of two, and resident of Scotch Plains, NJ. Saif and his wife had worked as pharmacists in Iraq, but when the war began, he knew he needed to get involved. So Saif worked as a translator and reporter for



the Los Angeles Times during the war in Iraq, providing support and key insights to the American media and the American public. They were able to come to the United States in 2008 through that special visa program—the SIV program—and slowly worked their way through school. Now, as pharmacy technicians, they have their pharmacy licenses.

Saif is a pharmacy manager in Cranford, NJ, a homeowner in Scotch Plains, and a proud father of two girls. He savors this country, this precious Nation. He celebrates our values. He is a glowing testimony to the truth of who we are. His success is our success. His family's security and safety and thriving lives in New Jersey give luster to the greatness of America.

In a phone call yesterday, Saif remarked that this Executive order was embarrassing and hurtful, that it was clear Muslims were being targeted, and that he couldn't understand why those who were so heavily vetted like his family posed such a threat.

Saif and his family are heavily involved in their community in Scotch Plains, and they make sure to offer support to families similar to theirs who come from Iraq seeking refuge. They are not just basking and luxuriating in their good fortune to become American citizens; they are honoring one of the great hallowed traditions of our country, which is service.

At the end of the call, Saif remarked that "[he] didn't think this would happen in any other country." It seemed like he was about to say this kind of religiously targeted ban wouldn't happen anywhere else, and he might have been right. But instead, he said that "if this kind of executive order from a leader in any other country happened against any group of people, you would never see the kind of resistance and action of so many standing up for them."

Even in one of the darkest moments in recent history, this man, this patriot, this person who served our Nation's interests and continues to volunteer in service to this day, could have every reason to be angry, upset, and cynical. But what is beautiful from our conversations with this man is that he hasn't given up faith. He still believes in the American people.

The beautiful thing about the conversations my staff has had with those New Jersey residents who once were serving our Nation in theaters of violence and terrorism, standing up for our military, for our press, victimized by terroristic threats, shot at, assassination attempts—these families now here in America witnessing this Executive order are saddened and embarrassed by it, but they are not giving up in their faith in America. That is our story.

I stand here today—dare I say, all of the Members of the Senate stand here today because of this tradition of our country, that even when we had dark chapters from our past where others in positions of power violated our values,

the faith and activism and engagement of American people remained.

I dare say we are the oldest constitutional democracy on the planet Earth. God, the genius of our Founders who put on paper ideals that have been heralded for centuries on planet Earth. Newer constitutional democracies literally would study our Constitution and model their nations after elements of our Constitution. I am sad to tell you that some of those countries' democracies have failed. They had the vaunted words, they put forth the same principles and ideals, but their countries' democracies have been overthrown, have seen despots who destroyed the very spirit of those ideals.

Why has America persisted? It is not just because of the documents that are sacred and so special in the course of human events. But what makes those documents true and real—because those sentiments are not just written on parchment; every generation has had them written on their hearts and have said: No matter what I may be experiencing in this country, I am going to dedicate myself to the principles and ideals, because as great as our Founders were when they founded this country in liberty and in justice and equality under the law, it didn't apply to everyone. It didn't apply to women. Native Americans were referred to as savages. African Americans were fractions of human beings. Yet the faith of a people in every generation worked to expand the concepts of liberty and freedom. They made the Constitution more real. They made our Union more perfect. They made our country's truth more true for more people.

It is why great poets like Langston Hughes wrote:

America never was America to me,  
And yet I swear this oath—  
America will be!

That is the call to the citizenry of this country.

There have been dark days in our past, but every generation of Americans, despite the dark actions of people in power, understands the truth that the power of the people is greater than the people in power. If we never lose faith in the ideals of this Nation, if we keep standing and working and sacrificing and struggling, every generation could advance the ideals of our country and make us more free and more true and more real for more people.

Last week, we saw yet another American leader shrink the ideals of this country, try to pull us backward to times past when we turned our backs on people fleeing persecution. What Donald Trump did is try to pull back on the ideals inscribed on that great statue that sits right next to New Jersey, the mother of exiles, who says in poetry, among other things, "give us"—not "Hey, you can come in" but a demand:

Give me your tired, your poor, your huddled masses yearning to breathe free,  
The wretched refuse of your teeming shore.

It is a demand to the world that we will take those who are oppressed, we

will take those who are being violated, we will take those who are being victimized. A President turns his back on those ideals. We have seen it before.

Dr. Lauren Feldman wrote to me about chapters of dark pasts. She wrote:

Today is Holocaust Remembrance Day. I am a Jew. My relatives were unable to find refuge in our country and were murdered by the Nazis. My grandmother lost her beloved aunt, Rokhl Rosnick Gertman, and an uncle and 4 young cousins that she never met. Had we as a country done the right thing and welcomed the refugees fleeing the Nazis, Tante Rokhl and millions of others could have joined their family members in safety and we could have been proud of our country, instead of ashamed of the racist paper walls built by the FDR administration to keep my family and others out.

Please tell Mr. Trump that we cannot go back. We must be a beacon of safety and refuge for the persecuted. Please do all that you can to prevent this ban from being enacted. Please think of my relatives and the relatives of your other constituents and fellow citizens who were needlessly and shamefully murdered because of our fear and racism. We are better than that. You are better than that.

She concludes, "Thank you for your time and service. Dr. Lauren Feldman, Princeton."

We are the United States of America. We haven't been perfect, but there has been a striving and a yearning in every generation to be more so.

I am a product of people Black and White, Christian and Jewish and Muslim, who, even though issues didn't affect them directly, knew that injustice anywhere is a threat to justice everywhere. They marched and they fought. They sat in. They got on buses for freedom rides knowing they would be bombed. They tried to cross bridges, standing up against law enforcement, State troopers, Governors who dared them to try to pass them. There were implacable walls of hatred and racism, but they stood anyway, and they bled the southern soil red—for my freedom, for our freedom, for this Nation's freedom.

I have worked all my career for the safety of communities. Yes, we must make sure our Nation is safe. But don't let fear and concern for safety ever make us ever turn our backs on our values as a nation. When we are threatened by our enemies, it is not a time to surrender our values, it is time to double down on them. The terrorists win if they change our free hearts and our souls set on liberty.

We as a nation are called to be great, to be a beacon of liberty and justice. There are people now pulled off of airplanes, forced to return to communities where their lives are being threatened. We made a bargain with them: Stand for America. Stand with our military. Stand against terrorism.

There are people who went through years and years of vetting by agency after agency, and when they were on the brink of freedom, like people of old who were on ships that came into our harbor, they were turned away, back to



face persecution and injustice. That is not the America I believe in. It is not who we are.

So I say to our President in prayer, in deep abiding faith: Repeal your Executive order. Stand up for our principles. Defend them. Be the champion millions of Americans want you to be.

I say to Americans, to all of us as a country: This is not a time to despair. It is not a time to give up. It is not a time to grow cynical or lose faith in our country or our values. No, remember our history. When dark times come, when it seems that people in the highest points of power are turning their backs on their ideals, it is not a time to retreat or equivocate, it is a time to fight, to stand up, to resist.

We are a great nation not just because of the words printed on a Constitution; we are a great nation because people with great sacrifice and struggle fought to live those words and to make them real in the lives of every single person.

America, we must now stand up. The opposite of justice is not just injustice; it is silence and indifference. This may not affect you or your family directly, but it is a threat to all of our collective values.

Go to the Jefferson Memorial and read those final words. Thomas Jefferson knew that for this Nation to be great, we had to pledge to each other an unusual level of commitment. He said that we must mutually pledge to each other our lives, our fortunes, and our sacred honor.

There is no honor in this Executive order. We as Americans now must pledge our sacred honor to do all we can to tear this order down so that the truth of America can rise again.

Mr. President, I yield the floor.

**THE PRESIDING OFFICER** (Mr. ROUNDS). The Senator from Connecticut.

Mr. MURPHY. Mr. President, there is a French farmer by the name of Hector St. John de Crevecoeur. He immigrated to the United States from Normandy, France, in 1759, and he settled in the Hudson Valley. He married an American woman. The astounding diversity of those who settled around him, his fellow farmers, was shocking to him. He said: It is "a mixture of English, Scotch, Irish, French, Dutch, Germans, and Swedes."

There was one family he knew who had an English grandfather, a Dutch grandmother, an Anglo-Saxon son who had a French wife, whose four sons all married women who were from different places of different nationalities. Hector said: "From this promiscuous breed, that race now called Americans has arisen."

He asked: "What then is the American, this new man?"

This farmer who came to America from Normandy in 1759 wrote this:

He is an American, who leaving behind him all his ancient prejudices and manners, receives new ones from the new mode of life he has embraced, the new government he obeys,

and the new rank he holds. The American is the new man who acts upon new principles. . . . Here individuals of all nations are melted into a new race of men.

George Washington told us that the bosom of America is open to the oppressed and the persecuted of all nations and religions.

That great American philosopher, Alexis de Tocqueville, that observer of American life, said in a letter:

Imagine, my dear friend, if you can, a society formed of all the nations of the world . . . people having different languages, beliefs, opinions: in a word, a society without roots, without memories, without prejudices, without routines, without common ideas, without a national character, yet a hundred times happier than our own.

I am not sure if any of those are completely accurate descriptions of what an American was or is or whether those are commensurate with our understanding as to the foundations of this country, but they speak to this founding ideal of America, this place where you could come from any part of the world with any set of beliefs, with any religion, with any skin color, and become something that is uniquely new.

There were people here before those who traveled from far-off lands, but to be an American is in many ways an invention—an invention of the amalgamation of faiths of peoples from all over the world.

Both Hector and de Tocqueville talk about the leaving behind of prejudices when you come to this new country. Inherent in that idea is this belief of new Americans that the discrimination they faced in other places could be washed away upon coming to a country, a land at that time in which everyone was equal, everyone started from the same place. Of course, that has to be true because this country was founded by individuals who were fleeing religious persecution, who thought that America was a place in which they could practice their religion freely. They could be who they knew themselves to be.

The reason why you hear such anxiety and anger and sadness from many in this Chamber and from many people we represent is because what happened on Friday is an abandonment of American originalism. It is a walking back of the faith that we have held since the days in which Scotch and Irish and French and Dutch and German and Swede came to this country believing that they could leave behind prejudices. It feels as if we are shrinking as a country before our eyes.

A young woman from Stamford, CT, wrote me this beautiful letter, and I want to read some of it to you. She encapsulates in modern language what Crevecoeur, Washington, and de Tocqueville were saying centuries ago. She said:

I am the proud descendant of Syrian immigrants. My great-grandparent's sacrifices to resettle in Rhode Island have shaped my entire life. I've grown up very close to my grandfather, the first generation of his family born in America, and I know what my an-

cestors did to be here and how far we've come from them being persecuted and subjected to religious violence in Damascus. I was able to grow up around Syrian culture and appreciate how great-grandparents made it possible for my entire family to be where they are now.

To give you an idea, my grandfather went on to receive a master's degree and was a high school teacher and guidance counselor. He is also heavily involved in the Roman Catholic church and quietly serves communion in hospitals each Sunday. My father, second generation, also received a master's, serves on hospital boards, and has had a successful career in human resources. With their encouragement, I have begun a career as a journalist, one I have dreamed of since I was in high school.

In 2012, on the 100-year anniversary of my family's arrival in the United States, I was the third generation in my family to graduate from high school and enroll in college. . . . I tell you this because this moves me every day when I go to work. How amazing it is that my family has gone from being persecuted for their religion to being able to hold jobs protected by the First Amendment? Surely, this is something my great-grandparents never could've dreamed of when they came here, and I embrace my career with the intention to honor their sacrifices. . . . Recently, my heart broke at the executive order to suspend the entry of refugees, specifically from Syria. I have looked into this extensively and recently worked on a story about the vetting process. . . . Trump's order is nothing but xenophobic and racist. I was preparing to report on a family that was supposed to be coming to a community near me, but it seems that family won't be coming now. How truly American it would've been for the descendant of Syrian immigrants to welcome a new generation of Syrians into this country.

This is for many cataclysmic because everything they thought about this country seems to be disappearing in front of us. I understand that President Trump tries to sell this as something less than it is; that it isn't a ban on all Muslims entering the United States, it is just a ban on Muslims from a select set of countries. But these are countries that encapsulate over 230 million Muslims. That is almost two-thirds of the population of the United States of America, including some of the most populous Muslim nations in the world, and it is directly targeted at people of Muslim faith.

It is simply not credible to say that this isn't a ban on members of one religion from entering the United States because it selects countries that are majority Muslim and then includes a caveat that if you are not of the majority religion, if you are of any religion that is not the majority religion, you can get around the ban and will be given priority to come to the United States.

This is a Muslim ban—a Muslim ban that applies to over 200 million Muslims around the world. It makes us smaller and weaker and less great as a nation. It also makes us weaker from a national security standpoint as well.

Let's step back for a second and understand the context here. This country does face a threat, a serious threat. There are religious extremists around the world who have perverted the religion of Islam and tried to turn it into

a doctrine of violence. They are attempting today to do great violence in the Middle East and in other parts of the world, and they are trying to recruit attackers here on U.S. soil. But you are not likely to be killed in an act of terrorism in this country. In fact, on average, there have been about three Americans killed every year by terrorism.

I am not trying to underplay the threat. People feel fearful. As a body, we need to respond to that fear. They see these awful things happening on TV, and they want us to make sure it will not happen to them. You are more likely to be killed in this country by lightning or by an elevator malfunction than you are by terrorism.

If you really want to talk about securing this Nation, about protecting Americans, then the conversation has to be bigger than just banning individuals from one country but recognizing the real threats that are posed.

Let me guarantee you this: If this ban goes into effect, if President Trump is successful, with the support from the Republican Congress, in sending a message to the world that America is at war with Islam, then that number of three Americans killed by terrorism every year will jump, it will skyrocket. More Americans will be killed by terrorism. Why? Because today ISIS is on its heels. It is in retreat. It has substantially less territory than it ever has before, and that has robbed from it one of its primary rationales for existence, one of its primary arguments to those it is trying to recruit into its fold—the idea that ISIS is forming a caliphate, an area of geographic control in the Middle East.

That argument doesn't work any longer because the supposed caliphate is shrinking. The amount of territory they control is getting smaller and smaller. Most folks can see the writing on the wall, that it is just a matter of time before the Islamic State as a state is gone. But they have this second rationale for existence, this second argument that they proffer to would-be recruits, and that is that there is a war between East and West, that this is really about a long-term struggle between Islam and Christianity. You need to sign up with us because they—the West, America, the Christian world—are coming for us.

We know that is not true, and we have watched Presidents of both parties make it very clear to the world that this is not the fight that we seek to engage in. Famously, immediately following the 9/11 attacks, President Bush said:

The face of terror is not the true faith of Islam.

He said:

That's not what Islam is all about. Islam is peace.

Yet the message that is being sent with this ban on Muslims from these seven countries entering the United States is clear. The message is that the United States is at war with this reli-

gion, that we are at war with people of the Muslim faith.

As we speak, these recruitment bulletin boards are lighting up with arguments being made as to the true nature of America's intent against the Islamic people. One posting on one of these message boards said that Trump's actions "clearly revealed the truth and harsh reality behind the American government and their hatred toward Muslims." Another posting on one of these extremist Web sites hailed Trump as the "best caller to Islam." Another message said that the leader of ISIS, "Al Baghdadi[,] has the right to come out and inform Trump that banning Muslims from entering America is a blessed ban." That is a phrase with very meaningful connotations. To the extent that these messaging boards are calling this ban on Muslims entering from seven countries a "blessed ban," it is rooted in a different phrase, something called the "blessed invasion."

The U.S. invasion of Iraq in 2003 became the starting point for the very insurgency that we are fighting today. It was that invasion that was called by Al Qaeda, Al Qaeda in Iraq, and the affiliated extremist groups that were drawn into the fight the "blessed invasion." Today on extremist Web sites, the ban on Muslims entering the United States is being called the "blessed ban."

This order is making this country less safe hour by hour. It is giving a pathway to rebirth for the very terrorist organizations that we had made such progress in pushing back and fighting back. In Iran specifically, it will lead to this country and our allies in the Middle East losing the fight against hardliners who pose a threat to the United States, to stability in the Middle East, and to our sacred ally of Israel. In Iran, there is a contest between moderates—and that is a relative term within the Iranian political space—and hardliners who chant "Death to Israel" who don't fear a world war or a conflict with the United States.

With the signing of the Iran nuclear agreement and the lifting of a handful of sanctions on Iran, the moderates won a victory. The population of that country—which is surprisingly pro-American and supported that nuclear agreement—was ascended, potentially foreshadowing a day in which that country would no longer be a provocateur in the region and instead could join in conversations about how to bring stability to the Middle East. Now the hardliners have been handed a gift, a gift which proves that America is an enemy, not just of the Iranian state but of the Iranian people.

Remember, when we think of actions that we take against governments that we don't like, we first try to start with actions that specifically identify individuals in the government, so that we make it clear that it is not about the people of that country but about their leaders. If that isn't strong enough, then we go to sanctions against com-

mercial interests, against the economy writ large. Yes, those sanctions do filter down and hurt real people, but the sanctions are levied at the economy or against commercial actors.

When you enact a specific ban on the people of a country being able to travel to the United States, you are levying that punishment directly on those individuals, who, by and large, bear no ill will toward the United States. You are telling them that it is their fault, and the Iranian people will turn against the United States, will turn toward the hardliners based upon this action.

This ban makes us less safe. It will allow for terrorist groups to rebound. That is not just me saying it. Senators McCain and Graham have said the same thing. National security experts of both stripes have testified as such. Tonight I think back to the moment in which I first heard that Candidate Donald Trump was proposing a ban on all Muslims entering the United States. I remember the universal bipartisan derision that met that announcement. It was almost laughable at that point in time during the campaign. If you remember, Candidate Trump was flailing. He was weak. He needed to reassert himself. He needed to make news, and so he grabbed for the most controversial, most outlandish proposal he could make. Republicans and Democrats here in Congress condemned it.

Speaker RYAN tweeted this:

A religious test for entering our country is not reflective of America's fundamental values. I reject it.

Governor MIKE PENCE said:

Calls to ban Muslims from entering the United States are offensive and unconstitutional.

A religious test for entering this country is not reflective of America's fundamental values. I reject it.

Calls to ban Muslims from entering the United States are offensive and unconstitutional.

I give credit to a small handful of Republicans here in the Senate and a small handful of Republicans in the House who have raised serious concerns about this ban with respect to what it says about American values or what it says about American national security. But there is utter silence from Republican leadership. Republican leadership—who only months ago claimed that if there were a religious test for entering our country, they would reject it—today are quiet. The idea that individuals could come to this country without regard to their religion or their national origin or their set of beliefs has never been a partisan issue. Of all the things that divide us, that idea has been one that unifies us.

My hope is that there is still a chance that both parties can come together and recapture the essence of American originalism, can put this country on firmer national security footing, and can continue the relentless drive against extremist groups like ISIS that now find themselves at a point of potential rebirth.

You have heard a lot of stories on the floor of the Senate today. It is interesting. We have these incredibly compelling stories from real people who are caught today in the middle of this reckless ill-thought-out ban. There are 67,000 refugees who are currently in the pipeline to come to this country right now. This isn't about 100, 200, 300, or 400. This is about tens of thousands of refugees who are fleeing persecution, terror, and torture. This is about the 230 million Muslims who live in those seven countries, who have been told that they are lesser. Frankly, every other Muslim in the world believes the message is being sent to them as well.

These stories that we tell you are—the tip of the iceberg isn't even accurate. This is a pinprick. Fadi Kassir and his family—here are his two girls. They left Syria in 2011 due to the epic levels of violence that Fadi was sure would kill his two little girls if he didn't leave. His family went to the UAE, or the United Arab Emirates. But the way in which the UAE works is that if you have a job, you can stay, but if you don't have a job, you leave. When he lost his job, they were kicked out and that began an epic journey for Fadi and his family.

These girls actually were born in the UAE, as I understand. He was fleeing Syria to protect his family and his future children, yet they were kicked out of the country they went to. Fadi then began a journey to try to find a home for him and his family. He tried to get to Europe via Tunisia, but he was detained and sent back to Turkey. He eventually flew to Brazil. He made his way to the United States by crossing the border with Mexico. Upon entry, he was detained. He was transferred to Miami. He was released and eventually found his way to Connecticut. He applied for asylum that was granted in December of 2015.

Fadi's relatives in Syria were tortured and had been detained by the regime. His neighborhood was dangerous and deadly. Fadi and his family were exactly the kind of people whom this country historically has been able to rescue from war-torn countries, from terror, and from torture. His family had experienced torture. His children were later returned to Syria and would face potential death.

He went through all of the processes that we asked him to go through. He didn't go into the shadows. He didn't hide. He applied for asylum status. It was granted in 2015. He filed forms that would allow for his wife and two daughters to follow. Those visas were issued last Tuesday, on January 24.

Originally, they had a flight that was scheduled to bring his wife and these two little girls to the United States today, but last week, when Fadi learned of the potential for this Executive order, he paid \$1,000 to move their flight up to Friday. His two little girls and his wife got on a flight from Jordan to Kiev, Ukraine, and eventually to the United States. But once in Kiev,

their passports and their visas were taken from them. They were sent to CBP. Their visas were rejected, and they were returned to Jordan.

These two little girls are back in their old apartment, but they got rid of all their furniture. They got rid of all their clothes. Their neighbors have temporarily given them mattresses to sleep on. They don't even know where their suitcases are. Their father, who is ready to greet them at the airport here in the United States, may never see them.

They are scared to death. I have two little boys who are the exact same age. I have an 8-year-old. I have a 5-year-old. I think about what these two little girls went through, getting ready to finally go see their dad who had gone through an epic struggle to try to find someplace in this world where his two little girls could be safe. He found it. He found it in America. He found it in my State of Connecticut.

He found it, just like hundreds of thousands of other people who fled war-ravaged Europe, who fled the bombing in Vietnam, who left Albania and Kosovo to come live a better life just like they found. He was ready to go to the airport to welcome his two little girls, and they were told that they are not leaving. You are not going to see your dad. You are going to go back to Jordan and, potentially, eventually back to Syria.

Imagine what those little girls went through. Imagine millions of other little boys and girls like them who had in their mind this place called America, a place that would welcome them, who would rescue them from the disaster that had become their lives.

Imagine that dream that was literally hours away for these two little girls extinguishing, and extinguishing for millions of others like them all around this planet. It is up to us whether that light which flickered off on Friday relights. It is up to us as to whether we rekindle the American dream, that idea of America from our founding. This is not irreversible. These two little girls, you could bring them here. We could choose to bring them here. It is up to us.

There is legislation on the floor of the Senate right now as we speak that would rescind this order. It is our decision, right? There are 100 of us. There are only 435 down the hall. There are only 535 of us. It is our decision whether these two little girls come to the United States or they go back to their war-ravaged home that their father left. It is up to us. It is not up to the President of the United States alone. He does not get to make these decisions by himself.

Democracy allows for us to make a different decision. It is up to us. I believe we can do it. I believe we can bring these girls here. I believe we can undo the damage that has been done to this country's security. I believe we can get back on a path such that ISIS remains on its heels. I believe we can

recapture that idea of that farmer who came to this country from a far-off land who looked in amazement at the amalgam of cultures and peoples and religions that was America.

I know this sounds like hyperbole. I know there are a lot of people out there who say: Wait a second. This is only temporary. It is only for a few months. It is only for a few countries. But people are listening and watching. Which direction are we heading? Do we really care about the things we have always cared about? Millions upon millions of people, all cross this country and all across this world are watching. What do we do?

Is this a partisan issue or can we commit ourselves together to stand up for those basic ideas of America's founding? There are two little girls who are watching most closely, who are watching to see if we can rise above partisanship and deliver to them the promise that has been made real for millions and millions of Americans who call this place home.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, so we have had a number, a large number of eloquent speeches about the President's Executive order. While they were going on, of course, we had a Monday night massacre. Sally Yates, a person of great integrity, who follows the law, was fired by the President. She was fired because she would not enact, pursue, the Executive order on the belief that it was illegal, perhaps unconstitutional.

It was a profile in courage. It was a brave act and the right act. I hope the President and his people who are in the White House learned something from this; first, that we are a nation under the rule of law. You cannot just sit down, Twitter something out, and then think: OK. Let's enact it. It is a complicated country. When you do something as major as what the President proposed in his Executive order, you have to think it through. You have to talk to people.

Sally Yates was the Acting Attorney General. Why wasn't she consulted? Maybe they would have known what she felt and maybe they would not have done what they did. Clearly, that lack of consultation went up and down the line. Sally Yates is from a different administration. General Kelly was President Trump's selection.

He learned of this Executive order when he got a phone call from the White House while he saw it being announced on television. How can you run a country like that? I am hearing from my constituents in New York. There are hard-core Trump supporters. They are for him. But they are a small minority of New Yorkers.

There are many progressive, liberal, and pro-immigrant people. Obviously, they are horrified, but I would say this to the President and his minions. There are a lot of people who voted for

President Trump—not the hard core—and they are appalled by the simple ineptitude of this administration. Substantively, even more important, how can you run a country like this? How can you make a major order, major doing, and not check it out with your Homeland Security Secretary, with the Justice Department and the Attorney General?

I will say, if this continues, this country has big trouble. We cannot have a Twitter Presidency. We cannot have a Presidency that thinks: Oh, this sounds good. Let's just go do it and not think the consequences through. Most of all, we cannot have a Presidency that does not understand the beauty and depth of America, in this case when it comes to immigrants.

We have been an amazing country. In the city in which I live there is a big lady in the harbor with a torch. It is a beautiful symbol. Americans revere it and admire it. The world reveres it and admires it. Why? Because it says: America will be a place where people can take refuge if they are persecuted religiously, politically, and then they can build a great life for themselves.

That is a beautiful thing. That moral force of America helps us win wars, helps us win support, helps us be the greatest country in the world that everyone admires.

Of course, we need a strong military. Of course, we need a strong economy. Praise God, America has had both through the decades, but we also have been a moral beacon, "God's noble experiment," as the Founding Fathers called it. In those days, as now, we have welcomed people from distant shores and said: Come be Americans.

Our President is trampling on that, to be honest with you. The idea that immigrants are preponderantly criminals and preponderantly terrorists is absurd. They are the future of America. In my State of New York, 25 percent of the people are foreign born, probably as high as 40 percent if you are either foreign born or had a parent foreign born.

They are great New Yorkers. I was with a Syrian refugee this week. He and his wife and his children had just come. His parents were American citizens. They had come to America in 1970. The parents and Mr. Elias, who lived in the Bronx, came here. He was a tailor. We don't have that many fine tailors in America these days. It is a lost art. So people who do it tend to be immigrants; mainly from Italy is my experience.

But he was a tailor from Syria. He then did what immigrants do in America. He founded a little business. He reupholsters boats, a lot of them in a place in the Bronx called City Island. He built a company. He made America better. He is a Syrian immigrant.

His children and grandchildren were in danger. A suicide bomber had even blown up himself in front of their home nearly killing them. They just got in this month. Had Donald Trump's Exec-

utive order been in effect several weeks earlier, they would not have been able to get here. They might have perished. They might have been hurt.

Similarly, another guy I met is Mohammed. Mohammed knows English. He was so impressed by America, by the lady with the torch, by our values, by what we stand for, that he volunteered to be a translator for our soldiers. He put his life in danger for doing that.

Then he began to get threats from the terrorists in Iraq. He is an Iraqi. His wife was in danger. His children were in danger. He came January 5. Again, had President Trump and his evil order—and that is what it is, it is evil—gone into effect January 1, for all we know Mohammed would have died for helping our soldiers.

Do we have to prevent terrorists from coming into America? Absolutely.

The greatest source of terror are lone wolves. Americans, citizens—ISIS gets its evil ideas in their heads, and they do terrorist things.

JOHN MCCAIN, my colleague, the senior Senator from Arizona who is an expert on this stuff, said: This Executive order will encourage and increase the number of lone wolves.

Here is another group that needs tightening. I would suggest to the President and his minions: those available in the Visa Waiver Program. If you are a country that has generally been friendly to us, there is something called the Visa Waiver Program, which means you can come into this country with very few questions asked, very little vetting.

Refugees are vetted for 2 years. That is why not a single refugee from any of the countries that were proscribed by the President has committed an act of terror here—not a single one.

I heard someone defending the President saying: Well, all these people would have come in; the terrorists would have come in had they done it slowly and announced a date.

Well, we have done it like this for 15, 20 years, and we haven't had a single terrorist come in. What kind of absurdity is that?

Anyway, the Visa Waiver Program allows people from, say, France and Belgium to come into this country with few questions asked. We have seen French citizens, Belgian citizens do terrorism. They would be allowed to come into this country to do it here. Why aren't we tightening that up? That is what should be done.

So I am going to conclude. The evening is late.

Sally Yates was a profile in courage, a profile in courage. Maybe some of her courage, her insight, and her wisdom would rub off on the people in the White House. Maybe they will back off and repeal this Executive order, and then we can work together and truly try to tighten up the laws, the actions of the administration to prevent terrorists from coming in.

This Executive order makes us less safe. It was poorly done in a slipshod,

quick way that foretells real trouble in the White House, and, most of all, it has done more to tarnish the great American dream, the great moral force of America that has, in part, made us the greatest country in the world—in 1, 2 days, undoing the work of generations.

Please, Mr. President, reconsider. Really think about this. Don't just tweet. Don't just get mad. Don't just call names. Think about it. Change it. Repeal it.

It is too far gone to change; we have to repeal it. And then maybe we can work together on tightening up some of the areas that I have talked about.

I see my friend from Arizona has come to the floor, and I will not hold him up, so I yield the floor.

#### MORNING BUSINESS

(At the request of Mr. DURBIN, the following statement was ordered to be printed in the RECORD.)

#### VOTE EXPLANATION

• Mr. HEINRICH. Mr. President, I was unable to cast my vote on the motion to invoke cloture on the nomination of Rex W. Tillerson to be Secretary of State because I was addressing a joint session of the State legislature in New Mexico. If I had been present, I would have voted no. •

#### BUDGET RECONCILIATION REPORTING DEADLINE

Mr. ENZI. Mr. President, section 2001 of S. Con. Res. 3, the concurrent resolution on the budget Fiscal Year 2017, directs the Committees on Finance and Health, Education, Labor, and Pensions to report changes in laws within their respective jurisdictions to reduce the on-budget deficit by not less than \$1 billion each for the total of fiscal years 2017 through 2026. Those committees were instructed to submit their recommendations to the Committee on the Budget no later than January 27, 2017.

For the information of colleagues, the reporting deadline has passed, and the Budget Committee has not received reconciliation recommendations from either committee. While committees have not complied with the deadline, the Senate retains the ability to utilize the instructions contained in section 2001 of S. Con. Res. 3.

#### TRIBUTE TO GARY SCHNEIDERS

Mr. GRASSLEY. Mr. President, I would like to take a moment to honor an Iowa teacher who has clearly had a major impact on his students and his community because I was contacted by a number of Iowans regarding their desire to find some way to recognize him. The following is what they told me.

A teacher of 39 years at Columbus High School in Waterloo, IA, Gary Schneiders has been awarded the

McElroy Trust Gold Star Teacher of the Year in the Cedar Valley and Teacher of the Year at Columbus High School.

During his time at Columbus, Gary Schneiders has taught world history, applied economics, current world history and advanced placement European history. Through his world history and European history classes, Mr. Schneiders has taken it upon himself to educate his students about the many sacrifices our military men and women have endured throughout history.

This February, Gary Schneiders will be leading his 12th group of students to France and Belgium for a 12-day trip "To Experience, To Learn, To Honor, To Remember." This is the theme each year for his AP Euro trip. Mr. Schneiders leads the students along World War I's Western Front starting in Verdun, France. His students experience the battlefields and trenches of the First World War. They visit some of the great museums and monuments honoring the soldiers who fought in the war. Most importantly, they go to many of the cemeteries and memorials to the many soldiers who fought for the various countries in that Great War. At the American memorials and cemeteries like Flanders Field and the Meuse Argonne, the largest American cemetery in Europe, the students lay flags and roses at each Iowa soldier's headstone. They also lay a wreath at the memorial itself, where Taps and the National Anthem are played. Because World War I is little remembered these days, the American cemeteries see very few visitors from the United States. The administrators of these memorials and cemeteries are excited to see Mr. Schneiders each year with his fresh class of students.

During the latter part of the AP Euro trip, Mr. Schneiders takes his students to the beaches of Normandy. He shows the students firsthand what difficulties our soldiers had in taking the beaches. On their last day in Europe, Mr. Schneiders takes his students to Omaha Beach and the Normandy American Cemetery. Mr. Schneiders takes his students down to Omaha Beach so they can see the distance our soldiers had to cover while carrying heavy packs and under constant fire. The students then go up to the top of the beach where the Normandy American Cemetery and Memorial is located. The students again put American flags and roses at each soldier from Iowa. They also take the sand they brought from Omaha Beach and wipe it over the name on each headstone so the name of the soldier and the State of Iowa becomes easily visible. The students again lay a wreath and Taps and National Anthem are played throughout the cemetery.

Two weeks after returning home, Gary Schneiders and his students put on a presentation for the local veterans and community. The students set up various multimedia exhibits to share the experiences from their trip. This

has become a great event each year for local veterans and the community.

To conclude, I was told that Gary Schneiders' dedication to his school, veterans, and his students has been invaluable to his community. If Gary Schneiders has anything to do with it, his students will continue "To Experience, To Learn, To Honor, To Remember" our veterans. So I congratulate Gary Schneiders on his dedication to his school, students, veterans, and community.

#### ADDITIONAL STATEMENTS

##### STATE OF THE UNION ESSAY CONTEST FINALISTS

• Mr. SANDERS. Mr. President, I ask to have printed in the RECORD some of the finalist essays written by Vermont high school students as part of the seventh annual State of the Union essay contest conducted by my office.

The material follows:

KEELAN DURHAM, OXBOW HIGH SCHOOL  
FRESHMAN (FINALIST)

Climate change is the most important issue facing our nation and the biggest challenge our world has ever faced. It threatens us at the most immediate level—the very land, water and air that we have called home for thousands of years. Addressing climate change will require tremendous policy shifts and changing massive amounts of infrastructure that we have spent many years and billions of dollars making. And it will require people and governments to collaborate at a worldwide level. The United States is the richest most powerful country in the world. We have achieved this position in world politics by being a leading force in creating prosperity and democracy around the world. However, by achieving this, we have wreaked havoc on the environment at the expense of the greater world. Now, we have a moral obligation to lead the world in implementing strong policies toward a renewable future. If we fail to address climate change, both our nation and nations around the globe will suffer tremendous consequences. According to the environmental protection agency's (EPA) "Climate Impacts on Coastal Areas", Rising seas alone will cause the United States to lose a projected 28,800 square miles of land. This would submerge large parts of fourteen US cities, displace 25 million people, and destroy billions of dollars worth of real estate. Rising seas would claim beautiful areas all along the coast such as the beaches of Culebra the multi-million dollar condos of Malibu or of the beautiful coast of California. Outside the United States, small island countries that have done very little to cause global warming could be wiped of the face of the planet.

As the richest most powerful country with the oldest, and arguably the strongest, democracy ever we need to take bold action and implement strong policies to stop global warming. There are many things the United States can do to address climate change. We could put a price on carbon pollution; this would create a disincentive to use oil and possibly hurt oil companies profits. We could create strong incentives and grants for renewable energy; this would make it easier and cheaper for individuals and businesses to install renewable energy like solar or wind. A huge step forward would be to ban coal mining and oil extractions from public lands—just this would keep millions of tons of CO<sub>2</sub>

out of the atmosphere and greatly help the environment. Merely stopping all new gas and oil infrastructure in its tracks would be a huge step in the fight against climate change. There is more we can do but this would be a start.

Currently the United States has been doing very little to combat global warming. The Paris Agreements were a step in the right direction but oil companies still have many members of congress working for them and with Donald Trump as president progress will likely will be lost and not made. This is why we must fight for this issue, and all issues that we know are important. If we do this, we show the oil companies and corrupt politicians that this government is for "we the people of the United States" and not "we the super huge and super rich corporations of the United States". Together we can make huge progress towards a renewable energy future and towards protecting our environment for future generations.

MORGEN EDWARDS, MILTON HIGH SCHOOL SENIOR  
(FINALIST)

My fellow Americans, our country spends more on training men and women to go to war than what it does on training our family members and our neighbors to come home. We spend more money on the military as whole, than what we do our veterans. Our veterans deserve more benefits through an increased budget of ten percent, we must reform the VA, and help to put an end to the 22 veterans who commit suicide a day. To help put an end to veteran suicide rates, there should be funding to create a separate organization to solely focus on the mental health of our veterans, readjusting them to civilian life, and acting as a twenty-four hour hotline to help prevent veteran suicide. This should be comprised of experts, and people who can adequately represent them when it comes to congress and budgeting.

In order to save our veterans, we first must provide the VA with a better budget, in order for the VA to provide veterans with access to benefits. The projected budget for the president to spend on the VA as of 2017 is 182.3 billion dollars, and according to the VA this is a "4.9% increase over the 2016 enacted level." If we increase the budget by ten percent to start out, than the VA could have more money to provide our veterans with better benefits, thus helping to cut down on wait times by employing more qualified individuals, while helping to provide more options for care and help to the men and women who need it. According to Military times "The average wait time across the system as of May 15 was 6.89 days for primary care, 10.15 days for specialty care and 4.4 days for mental health appointments, according to the report." Wait times should be no more than three to four days, and if at all possible we should try cutting that down even more, to ensure the safety of our veterans.

We must train our veterans on how to readjust to civilian life, help them to find and maintain jobs, help them find housing and teach them about PTSD and mental health awareness. We must train them to not be afraid to speak out about their mental health. Most importantly, we must not send them away when they seek help, telling them to "just forget about it." If we have the means to train them to go to war, than we must take those same means but apply it to training them to come home. No longer should we send of veterans home to fend for themselves. If we have the resources to send them to boot camp to go to war than we have the resources to send them to boot camp to come home. We should try and expand the Wounded Warriors Project, Iraq and Afghanistan Veterans of America, and American Veterans and their efforts to provide transition programs.

REBECCA GREEN, ST. JOHNSBURY ACADEMY  
SOPHOMORE (FINALIST)

I believe that one of the most pressing issues that is facing our nation today is the conservative movement to remove federal funding from Planned Parenthood. I think that this is very important, because Planned Parenthood clinics are key providers not only of family planning services, but also preventative care, and other important health care services for low income women and families, and therefore, defunding this organization would negatively impact access to healthcare in these vulnerable socioeconomic groups.

The movement to defund Planned Parenthood is centered primarily on ideological and political reasons surrounding the pro-life movement and their argument that tax dollars should not be allowed to support organizations that provide abortions. Yet, Planned Parenthood data demonstrated that only 3% of their budget goes to fund abortion, with the rest of their funds going to contraceptive services (31%), testing and treatment of STD's (45%), other women's health care services (14%), and screening and prevention of cancer (7%). According to a report from the Guttmacher Institute, in 2014, Planned Parenthood prevented 2.2 million unintended pregnancies and averted many cases of sexual transmitted diseases, and cervical and breast cancer through screening PAP smears and mammograms and HPV tests and vaccinations, resulting in a net public savings of \$13.6 billion, or \$7.09 for every public dollar spent. Defunding Planned Parenthood clinics could therefore have a significant negative impact on both these health benefits and the health care savings that come from their services.

An example of the effects of this movement to defund Planned Parenthood can be seen in the case of Texas, where cutting federal funding to this organization led to closure of more than 80 clinics and deprived thousands of low-income women of highly effective contraceptive methods, resulting in a drastic increase in the rate of births covered by Medicaid.

In conclusion, Planned Parenthood has created a nationwide network of clinics that provide a wide breadth of services to low income women and families who often fall in the gap between Medicaid and insurance coverage. Efforts to defund this organization would deprive this vulnerable socio-economic group from important health care services, and cause profound negative impact, not just on preventative care and overall women's health, but on state and national health care spending.

ABIGAIL HALNON, MILTON HIGH SCHOOL SENIOR  
(FINALIST)

My fellow Americans, I am humbled and thrilled to be your president. I believe that the American people are generous, insightful, and accepting. Our nation gains its power, strength, and beauty from its diversity. We strive, as a nation, to be an international leader in perpetuating ideals of freedom and equality. It is my concern that there are many acts in this country that violate these fundamental beliefs.

It is important that the United States is a country recognized as a pioneer of social justice on a worldwide stage. It is our moral duty to uphold the highest standards of equality and acceptance. We have made great steps towards this in recent years. The landmark Supreme Court decision in 2015 of Obergefell v. Hodges upheld the fundamental right to marry, regardless of sex. We must further prove our nation's belief in freedom and opportunity by the legislation that we pass. There is progress yet to be made.

Currently, practicing conversion therapy on gay and bisexual Americans is widely per-

mitted across the U.S. This is a process under which non-heterosexual people are subjected to various means to reverse their sexual orientation. Conversion therapy, based on a scientifically discredited premise, must see an immediate ban. It permits the means to punish and abuse innocent Americans. The vast majority of these victims are minors. This practice perpetuates a false and violent belief system that homosexuality is a mental disease and that a cure must be sought. It is an obscene violation of the basic human rights of gay, lesbian, and bisexual Americans. It should not be permitted by law.

Although it receives little public support, only 5 states have banned conversion therapy on minors. These acts of hate and misinformation must be outlawed nationwide. It is an injustice and a crime to subject torture on Americans, most often minors, who have committed no offense. An immediate country-wide ban must take place.

We must work to defy all accounts of prejudice based on sexual orientation and gender identity. The freedom and mobility of transgender and nonbinary Americans is severely limited. Their rights and protection are being eroded by current legislation. A recent law in North Carolina known as the "bathroom bill" allows regulation of bathroom access for transgender individuals. Legislation that regulates bathroom use by transgender Americans is an act of hate and tragic misinformation. Rates of violence or misconduct by transgender individuals in bathrooms are so unprecedented that there are virtually no statistics on it. There is no need for regulation. These laws must immediately be struck down. These are basic and necessary rights and they must not be infringed upon. Discriminatory acts based on sexuality and gender identity have implications outside of their specific goals. The use of U.S. law to marginalize any group perpetuates dangerous and violent beliefs. Our misunderstanding cannot become rejection. Our fear cannot manifest into anger.

Americans will not stand for the perpetuation of hate, fear, and misinformation. We will not reject our neighbors and our friends. Our country must make these necessary steps towards true equality.

KARLEY ZIER, MISSISQUOI VALLEY UNION HIGH  
SCHOOL JUNIOR (FINALIST)

Raising the price of minimum wage would benefit everyone differently, but all in a commendable way. This would give people on government assistance more of an incentive to secure a job. It would keep the average family of four from drowning in debt just to buy groceries for the week. According to Sherrod Brown, Senator of Ohio, "Anyone who's tried to pay a heating bill, fill a prescription, or simply buy groceries knows all too well that the current minimum wage does not cut the mustard." Sherrod explains exactly how tough it is to try and survive off from the ongoing minimum wage price.

Minimum wage in Vermont should be raised for a multitude of reasons. One way the state could benefit from this would be the amount of people withdrawing from welfare and other government funded programs. The state could benefit from this act because unemployed rates would go down with more people applying for jobs. Families living off of minimum wage have barely enough money to meet their basic needs per week or per month. Someone making minimum wage at \$9.60 an hour for eight hours a day and five days a week will earn \$384. Therefore, one will make \$1,536 per month without any taxes being taken out. According to USA Today, the average cost of groceries per week for a family of four is \$150-\$200. The average cost of rent in Vermont is \$900 per

month. Being left with \$436, which would be non-existent due to taxes, leaves no room to pay for other needs or necessities. People wouldn't have money to pay for phone bills, transportation expenses, or daycare because one would be working. Someone would not be able to pay for any of these necessities because of the fact they wouldn't be able to afford them living off of minimum wage.

People who are using government assistance programs could benefit from this because there would be a reason for them to want to work. If people make the same amount off of welfare as they are making while working a forty hour job each week, of course they are going to choose welfare, or other government assistance programs. There is no incentive for the people on welfare to want to get a job with the minimum wage being so low and having to pay for expenses they wouldn't need to pay for while being unemployed. The other people in the state could benefit from this by the amount of people withdrawing from the welfare program. The more people who withdraw from the system, the less tax money that one say to pay to fund these types of programs. Overall, those are the reasons why the minimum wage in Vermont should be raised.●

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the appropriate committees.

(The message received today is printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 7. An act to prohibit taxpayer funded abortions.

H.R. 589. An act to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes.

H.R. 600. An act to promote Internet access in developing countries and update foreign policy toward the Internet, and for other purposes.

H.R. 601. An act to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes.

The message further announced that pursuant to sections 5580 and 5581 of the revised statutes (20 U.S.C. 42-43), and the order of the House of January



3, 2017, the Speaker appoints the following Members of the House of Representatives to the Board of Regents of the Smithsonian Institution: Mr. SAM JOHNSON of Texas and Mr. COLE of Oklahoma.

The message also announced that pursuant to 22 U.S.C. 3003, and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives to the Commission on Security and Cooperation in Europe: Mr. SMITH of New Jersey, Co-Chairman, Mr. ADERHOLT of Alabama, Mr. BURGESS of Texas, Mr. HULTGREN of Illinois, and Mr. HUDSON of North Carolina.

The message further announced that pursuant to 22 U.S.C. 2761, and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives to the British-American Inter-parliamentary Group: Mr. HOLDING of North Carolina, Chairman, Mr. HILL of Arkansas, Mr. LATTA of Ohio, Mr. ADERHOLT of Alabama, and Mr. ROE of Tennessee.

The message also announced that pursuant to 22 U.S.C. 1928a, and the order of the House of January 3, 2017, the Speaker appoints the following Members of the House of Representatives to the United States Group of the NATO Parliamentary Assembly: Mr. TURNER of Ohio, Chairman, Mr. JOHNSON of Ohio, Mr. MARINO of Pennsylvania, Mr. GUTHRIE of Kentucky, Mr. COOK of California, Mr. KINZINGER of Illinois, and Mr. SHIMKUS of Illinois.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 7. An act to prohibit taxpayer funded abortions; to the Committee on Finance.

H.R. 589. An act to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 600. An act to promote Internet access in developing countries and update foreign policy toward the Internet, and for other purposes; to the Committee on Foreign Relations.

H.R. 601. An act to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes; to the Committee on Foreign Relations.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WYDEN (for himself, Mr. BLUNT, Mr. CARPER, Mr. ROBERTS,

Ms. STABENOW, Mr. MORAN, Mr. CASEY, Mr. PORTMAN, Mr. BENNET, Mrs. CAPITO, Ms. BALDWIN, and Mr. GARDNER):

S. 236. A bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. RUBIO):

S. 237. A bill to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHNSON (for himself, Ms. BALDWIN, and Mr. CORNYN):

S. 238. A bill to authorize the President to award the Medal of Honor to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for acts of valor on January 28th, 1945, during the Battle of the Bulge in World War II; to the Committee on Armed Services.

By Mr. GARDNER (for himself, Mr. COONS, Mr. PORTMAN, and Mrs. SHAHEEN):

S. 239. A bill to amend the National Energy Conservation Policy Act to encourage the increased use of performance contracting in Federal facilities, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. DURBIN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. WYDEN, Ms. CANTWELL, Mr. UDALL, Mr. VAN HOLLEN, Mr. MURPHY, Mrs. GILLIBRAND, Mr. MERKLEY, Mr. CARPER, Mr. SANDERS, Mr. MARKEY, Ms. BALDWIN, Mr. CARDIN, Mr. HEINRICH, Ms. HASSAN, Mr. BROWN, Ms. STABENOW, Ms. CORTEZ MASTO, Mr. Kaine, Ms. HARRIS, Mr. LEAHY, Mr. PETERS, Mr. COONS, Mr. MENENDEZ, Mrs. MURRAY, Mr. BOOKER, Mr. WHITEHOUSE, Mr. FRANKEN, Ms. HIRONO, Ms. WARREN, Mr. KING, Mr. CASEY, Mr. WARNER, and Mr. REED):

S. 240. A bill to nullify the effect of the recent executive order that temporarily restricted individuals from certain countries from entering the United States; to the Committee on the Judiciary.

By Mrs. ERNST (for herself, Mr. CORNYN, Mr. CRUZ, Mr. BLUNT, Mr. ROBERTS, Mr. SCOTT, Mr. PAUL, Mr. LANKFORD, Mr. MORAN, Mr. RUBIO, Mr. DAINES, Mr. HOEVEN, Mr. SULLIVAN, Mr. SASSE, Mrs. FISCHER, Mr. CRAPO, Mr. KENNEDY, Mr. LEE, Mr. RISCH, Mr. WICKER, Mr. INHOFE, Mr. CORKER, Mr. GRASSLEY, and Mr. GRAHAM):

S. 241. A bill to prohibit Federal funding of Planned Parenthood Federation of America; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASSIDY (for himself, Mr. JOHNSON, Ms. KLOBUCHAR, Mr. COTTON, Mr. ROUNDS, Mr. SULLIVAN, and Mr. BOOZMAN):

S. 242. A bill to amend title 38, United States Code, to permit veterans to grant access to their records in the databases of the Veterans Benefits Administration to certain designated congressional employees, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THUNE (for himself and Ms. HEITKAMP):

S. 243. A bill to provide for a permanent extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals; to the Committee on Finance.

By Mr. LEE (for himself, Mr. CRUZ, Mr. MCCAIN, Mr. CORNYN, Mr. SCOTT, Mr.

FLAKE, Mr. PERDUE, Mr. JOHNSON, Mr. ALEXANDER, and Mr. RUBIO):

S. 244. A bill to repeal the wage requirement of the Davis-Bacon Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN (for himself, Mr. BARRASSO, Mr. MCCAIN, Mr. LANKFORD, Mr. MORAN, and Ms. HEITKAMP):

S. 245. A bill to amend the Indian Tribal Energy Development and Self Determination Act of 2005, and for other purposes; to the Committee on Indian Affairs.

By Mr. MENENDEZ:

S. 246. A bill to authorize the Secretary of Education to make grants to support fire safety education programs on college campuses; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself, Mr. WHITEHOUSE, Ms. BALDWIN, Mrs. SHAHEEN, Mr. REED, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. BROWN, Mr. DURBIN, Mrs. MCCASKILL, Mrs. GILLIBRAND, Mr. PETERS, and Mr. MENENDEZ):

S. 247. A bill to provide an incentive for businesses to bring jobs back to America; to the Committee on Finance.

By Mr. MURPHY (for himself, Ms. CANTWELL, Mr. MERKLEY, Mr. BLUMENTHAL, Mr. COONS, Mr. SCHATZ, Ms. BALDWIN, Mr. VAN HOLLEN, Mr. BOOKER, and Mrs. MURRAY):

S. 248. A bill to block implementation of the Executive Order that restricts individuals from certain countries from entering the United States; to the Committee on the Judiciary.

By Mr. INHOFE (for himself, Mr. MCCONNELL, Mr. ROUNDS, Mr. CASSIDY, and Mr. LEE):

S.J. Res. 9. A joint resolution providing for congressional disapproval under chapter 8, of title 5, United States Code, of the rule submitted by Securities Exchange Commission relating to the disclosure of payments by resource extraction issuers; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MCCONNELL (for himself, Mrs. CAPITO, Mr. MANCHIN, Ms. HEITKAMP, Mr. HOEVEN, Mr. PAUL, Mr. BARRASSO, Mr. INHOFE, Ms. MURKOWSKI, Mr. BLUNT, Mr. SULLIVAN, Mr. SHELBY, Mr. TILLIS, Mr. JOHNSON, Mr. TOOMEY, Mr. WICKER, Mr. RISCH, Mr. FLAKE, Mr. BOOZMAN, Mr. DAINES, Mr. CRAPO, Mr. MORAN, Mr. LANKFORD, Mr. YOUNG, Mr. COTTON, Mr. ROBERTS, Mr. ENZI, Mrs. ERNST, and Mr. CORNYN):

S.J. Res. 10. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by the Secretary of the Interior relating to stream protection; to the Committee on Energy and Natural Resources.

By Mr. BARRASSO (for himself, Mr. DAINES, Mr. INHOFE, Mr. HOEVEN, Mr. ENZI, Mrs. CAPITO, Mr. MCCONNELL, Mr. LEE, Mr. SULLIVAN, Mr. CRUZ, Ms. MURKOWSKI, Mr. CORNYN, and Mr. HATCH):

S.J. Res. 11. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Bureau of Land Management relating to "Waste Prevention, Production Subject to Royalties, and Resource Conservation"; to the Committee on Energy and Natural Resources.

By Mr. JOHNSON (for himself, Mr. ALEXANDER, Mr. LANKFORD, Mr. MCCAIN, Mr. MCCONNELL, Mr. ENZI, Mr. HATCH, Mr. ISAKSON, Mr. ROBERTS, Mr. INHOFE, and Mr. CORNYN):



S.J. Res. 12. A joint resolution disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. ERNST (for herself, Mr. CORNYN, Mr. CRUZ, Mr. BLUNT, Mr. ROBERTS, Mr. LANKFORD, Mr. DAINES, Mr. CRAPO, Mr. SASSE, Mr. MORAN, Mr. KENNEDY, Mr. LEE, Mr. RISCH, Mr. INHOFE, Mr. MCCONNELL, Mr. GRASSLEY, and Mr. GRAHAM):

S.J. Res. 13. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by the Secretary of Health and Human Services relating to compliance with title X requirements by project recipients in selecting subrecipients; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself, Mr. MCCONNELL, Mr. CRAPO, Mr. LEE, Mr. CORNYN, Mr. PAUL, Mr. BARRASSO, Mr. SHELBY, Mr. GRAHAM, Mr. LANKFORD, Mrs. ERNST, Mr. BLUNT, Mr. ROBERTS, Mr. BOOZMAN, Mr. ENZI, Mr. GARDNER, Mr. ISAKSON, Mr. CASSIDY, and Mr. SASSE):

S.J. Res. 14. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007; to the Committee on Finance.

By Ms. MURKOWSKI (for herself, Mr. MCCONNELL, Mr. BARRASSO, Mr. CRAPO, Mr. DAINES, Mr. ENZI, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER, Mr. HELLER, Mr. INHOFE, Mr. LEE, Mr. MCCAIN, Mr. RISCH, Mr. SULLIVAN, Mr. HATCH, and Mr. SASSE):

S.J. Res. 15. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by the Director of the Bureau of Land Management relating to resource management planning; to the Committee on Energy and Natural Resources.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. BALDWIN (for herself, Mr. BROWN, Mr. COONS, Mr. REED, Mrs. SHAHEEN, Mr. DURBIN, Ms. WARREN, and Mr. BOOKER):

S. Res. 28. A resolution designating January 27, 2017, as "Earned Income Tax Credit Awareness Day"; to the Committee on the Judiciary.

By Mr. DAINES:

S. Res. 29. A resolution recognizing January 28, 2017, as "National Data Privacy Day"; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 26

At the request of Mr. WYDEN, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 26, a bill to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain can-

didates for the office of the President, and for other purposes.

S. 32

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 32, a bill to provide for conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area, and for other purposes.

S. 33

At the request of Ms. MURKOWSKI, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 33, a bill to provide for congressional approval of national monuments and restrictions on the use of national monuments, to establish requirements for the declaration of marine national monuments, and for other purposes.

S. 87

At the request of Mr. TOOMEY, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 87, a bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

S. 105

At the request of Mrs. FISCHER, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 105, a bill to amend the Consumer Financial Protection Act of 2010 to transition the Bureau of Consumer Financial Protection to a 5-member board of directors.

S. 107

At the request of Mr. CRUZ, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 107, a bill to prohibit voluntary or assessed contributions to the United Nations until the President certifies to Congress that United Nations Security Council Resolution 2334 has been repealed.

S. 143

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 143, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 152

At the request of Mr. RUBIO, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 152, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 166

At the request of Mr. BOOKER, the name of the Senator from New York

(Mrs. GILLIBRAND) was added as a cosponsor of S. 166, a bill to require the Secretary of the Treasury to mint coins in commemoration of Muhammad Ali.

S. 176

At the request of Mr. MCCONNELL, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 176, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan, and for other purposes.

S. 178

At the request of Mr. GRASSLEY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 178, a bill to prevent elder abuse and exploitation and improve the justice system's response to victims in elder abuse and exploitation cases.

S. 179

At the request of Mr. GRASSLEY, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 179, a bill to expand the use of E-Verify, to hold employers accountable, and for other purposes.

S. 181

At the request of Mr. BROWN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 181, a bill to ensure that certain Federal public works and infrastructure projects use materials produced in the United States, and for other purposes.

S. 191

At the request of Mr. CASSIDY, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 191, a bill to improve patient choice by allowing States to adopt market-based alternatives to the Affordable Care Act that increase access to affordable health insurance and reduce costs while ensuring important consumer protections and improving patient care.

S. 198

At the request of Mr. RUBIO, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 198, a bill to require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes.

S. 202

At the request of Mr. CRAPO, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 202, a bill to amend the Social Security Act relating to the use of determinations made by the Commissioner.

S. 205

At the request of Mr. THUNE, the names of the Senator from Georgia

(Mr. PERDUE), the Senator from Idaho (Mr. RISCH), the Senator from Mississippi (Mr. WICKER) and the Senator from Indiana (Mr. YOUNG) were added as cosponsors of S. 205, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 207

At the request of Ms. KLOBUCHAR, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 207, a bill to amend the Controlled Substances Act relating to controlled substance analogues.

S. 220

At the request of Mr. SASSE, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 220, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 223

At the request of Ms. COLLINS, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 223, a bill to provide immunity from suit for certain individuals who disclose potential examples of financial exploitation of senior citizens, and for other purposes.

S. 224

At the request of Mr. RUBIO, the names of the Senator from Louisiana (Mr. CASSIDY), the Senator from Mississippi (Mr. COCHRAN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Oklahoma (Mr. LANKFORD), the Senator from Kansas (Mr. ROBERTS) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. 224, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 230

At the request of Mr. CASSIDY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 230, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for facilities using a qualified methane conversion technology to provide transportation fuels and chemicals.

S. 231

At the request of Mr. PAUL, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 231, a bill to implement equal protection under the 14th Amendment to the Constitution of the United States for the right to life of each born and preborn human person.

S. 235

At the request of Mr. SCOTT, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 235, a bill to expand opportunity

through greater choice in education, and for other purposes.

S.J. RES. 1

At the request of Mr. BOOZMAN, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from South Dakota (Mr. THUNE) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S.J. Res. 1, a joint resolution approving the location of a memorial to commemorate and honor the members of the Armed Forces who served on active duty in support of Operation Desert Storm or Operation Desert Shield.

S.J. RES. 2

At the request of Mr. CRUZ, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S.J. Res. 2, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

S.J. RES. 6

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S.J. Res. 6, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S.J. RES. 8

At the request of Mr. UDALL, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S.J. Res. 8, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. CON. RES. 6

At the request of Mr. BARRASSO, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from North Carolina (Mr. BURR), the Senator from Arkansas (Mr. COTTON) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. Con. Res. 6, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 15

At the request of Mr. LEE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. Res. 15, a resolution expressing the sense of the Senate that the Mexico City policy should be permanently established.

S. RES. 18

At the request of Mr. COONS, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. Res. 18, a resolution reaffirming the United States-Argentina partnership and recognizing Argentina's economic reforms.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. SCHUMER, Mr. DURBIN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. WYDEN, Ms. CANTWELL, Mr. UDALL, Mr. VAN HOLLEN, Mr.

MURPHY, Mrs. GILLIBRAND, Mr. MERKLEY, Mr. CARPER, Mr. SANDERS, Mr. MARKEY, Mr. BALDWIN, Mr. CARDIN, Mr. HEINRICH, Ms. HASSAN, Mr. BROWN, Ms. STABENOW, Ms. CORTEZ MASTO, Mr. KAINE, Ms. HARRIS, Mr. LEAHY, Mr. PETERS, Mr. COONS, Mr. MENENDEZ, Mrs. MURRAY, Mr. BOOKER, Mr. WHITEHOUSE, Mr. FRANKEN, Ms. HIRONO, Ms. WARREN, Mr. KING, Mr. CASEY, Mr. WARNER, and Mr. REED):

S. 240. A bill to nullify the effect of the recent executive order that temporarily restricted individuals from certain countries from entering the United States; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I have come to the floor as we have just filed a resolution—a bill actually—with 26 cosponsors that would repeal the immigration ban placed by President Trump. President Trump's Muslim ban is unnecessary, it is unconstitutional, and it is un-American. It should be repealed immediately.

The Executive order prohibits individuals from Iran, Syria, Iraq, Sudan, Somalia, Libya, and Yemen from entering the country. It even bars relatives of Americans from visiting. The order suspends the entire U.S. refugee program, and most egregiously, Syrian refugees are banned indefinitely unless they are Christian. These provisions are not what America is all about.

First, the order is unnecessary. Individuals from the 7 targeted countries and 150 other nations are already thoroughly screened. Visitors fill out visa applications. They submit photographs that run through biometric databases. Their personal information is reviewed, including names, addresses, and dates of birth. They are interviewed at a U.S. consulate. The process could take months to complete and eliminates the need for the travel ban.

In addition, the move to ban refugees has no legitimate national security reason because these refugees undergo an even more thorough screening process that can take up to 2 years to complete. The vast majority of refugees are women and children who have experienced the absolute worst of humanity.

Let's not forget the heart-wrenching image of the small body of Aylan Kurdi, a 3-year-old Syrian boy, washed up on a beach, dead. I will never forget this small boy in his short pants, his shoes, and his socks, lying on that beach. To turn away women and children and men in their time of dire need is not what this Nation is all about.

Let me make this point: The poor execution of this Executive order has resulted in chaos and confusion. It is unclear whether the Justice Department or Homeland Security had any input. There seems to have been a disagreement about whether it would apply to green card holders. There was confusion about whether it applies to

individuals already in transit or approved for travel. Even airport directors—I have spoken directly with the directors of Los Angeles International and San Francisco International, and there was confusion about how it applies. Even airport directors were left in the dark about how many people were detained and who they were.

Sara Yarjani was one Californian caught up in this mess. She is an Iranian national studying at the California Institute for Human Science in San Diego under a valid student visa. After being detained at LAX for 23 hours, she was sent back to Europe, a clear violation of the nationwide stay against the order. What I am saying is that the court stay was actually violated. This is just one of more than 100 stories from the weekend.

I believe this order is also unconstitutional. The First Amendment prohibits government from establishing a religion or prohibiting the free exercise thereof. The order violates this First Amendment by targeting Muslims and favoring Christians. The order may also violate the Religious Freedom Restoration Act, which forbids the government from burdening the person's exercise of religion. The law bars any discrimination based on national origin in the issuance of a visa.

Finally, detaining people at airports may violate their Fourth Amendment rights.

This was an ill-considered overreach, as the courts showed over the weekend, and it should be repealed.

So the bill that 27 of us are introducing rescinds the President's Executive order. The text is simple because the message is simple: We won't stand for these types of actions.

In conclusion, I would like to say that I am so proud of the peaceful demonstrations we saw, and I join those who are so passionate about the free exercise of religion and free speech. These are our values, Mr. President, as a nation, and I will be right there with you if anyone tries to violate them.

By Mr. HOEVEN (for himself, Mr. BARRASSO, Mr. MCCAIN, Mr. LANKFORD, Mr. MORAN, and Ms. HEITKAMP):

S. 245. A bill to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, and for other purposes; to the Committee on Indian Affairs.

Mr. HOEVEN. Mr. President, I rise today to introduce S. 245, the Indian Tribal Energy Development and Self-Determination Act Amendments of 2017.

Over 10 years ago, Congress passed the Indian Tribal Energy Development and Self-Determination Act. This act was a step in the right direction to economic self-sufficiency for Indian tribes and energy independence for our Nation.

It created a process for Indian tribes to govern the development of their energy resources while reducing costly

bureaucratic burdens of Secretarial review, approval, and oversight. But after more than 10 years, the act has not been implemented in a manner beneficial to the tribes or efficient resource development.

Bills have been introduced for the past four Congresses to improve and clarify the process but none of them have been signed into law. It is past time Congress acts and gets this bill across the finish line to be signed into law.

The bill that I am introducing today would improve, clarify, and make predictable the process for tribes to enter energy resource agreements and development. I would like to highlight some of the key provisions in this bill.

The bill provides clarity regarding the specific information and time frames for Secretarial decisions required for tribal energy resource agreements. This bill recognizes the need to engage tribes by requiring more robust technical assistance and consultation with Indian tribes in the planning and development stages for energy resource development.

It would further facilitate the Secretarial approval process for mineral development by allowing Indian tribes and third parties to perform appraisals. This bill also includes renewable energy resource development by authorizing tribal biomass demonstration projects to assist Indian tribes in securing reliable, long-term supplies of woody biomass materials.

I would like to thank Senators BARRASSO, MCCAIN, LANKFORD, MORAN, and HEITKAMP for joining me in cosponsoring this bipartisan bill. I urge my colleagues to join me in advancing this bill and getting it signed into law expeditiously.

By Mr. INHOFE (for himself, Mr. MCCONNELL, Mr. ROUNDS, Mr. CASSIDY, and Mr. LEE):

S.J. Res. 9. A joint resolution providing for congressional disapproval under chapter 8, of title 5, United States Code, of the rule submitted by Securities Exchange Commission relating to the disclosure of payments by resource extraction issuers; to the Committee on Banking, Housing, and Urban Affairs.

Mr. INHOFE. Mr. President, we are introducing today a CRA that is kind of interesting. This is something that has only been successful one time.

I think everyone knows that during the past 8 years, under the Obama administration, we have seen thousands, literally thousands of regulations that have come through that have been anti-business, many of them anti-certain businesses, such as the oil and gas industries. It is no secret, the fact that we have had a President, in President Obama, who has had a war on fossil fuels.

It is interesting to me that when I go back to my State of Oklahoma—one reason I go back all the time is because I want to be around real, rational peo-

ple. Sometimes I get the feeling there really aren't any around here. They ask questions. They will say: Tell me. Explain this to me. In the United States of America, in order to generate power, 89 percent of the power we are generating is either fossil fuels, coal, oil, gas, or nuclear. If we do away with 89 percent of our generation capability, then how do we run the machine called America?

The answer is that we can't. But we don't get those types of questions here. I am sure most of us who go back find that kind of concern, and it is not confined to Oklahoma.

I chaired the Environment and Public Works Committee during the 8 years—during the time President Obama was in office, and most of the regulations were actually associated with that committee. Many committees have regulations associated with their committees but not nearly as many as Environment and Public Works. An example is the WOTUS regulation. Ask anyone with the American Farm Bureau or anyone who deals with farmers and ranchers, and the No. 1 problem they have, they will tell you, is nothing that is found on the AgNu Committee; it is the overregulation of the EPA. That is one example. The Environment and Public Works Committee is the committee that has the jurisdiction over the EPA—at least we are supposed to.

During the time when WOTUS came through—the water regulation—it has historically always been the States' jurisdiction to handle water issues, not the Federal Government, with the exception of navigable water. I think we all understand that. In fact, there were several liberal Members in the House and Senate who tried to take the word "navigable" out of the regulations, and we defeated them every time. The last two who tried to do that were, in fact, defeated in the polls.

We know that in the State of Oklahoma—I should say our farmers know that if you put the Federal Government in charge of water regulations in the western part of Oklahoma, which is an arid part of the State, it would end up being designated as a wetland. Anyway, that is a major concern they had.

Another example of regulation is President Obama's Clean Power Plan. We all know how that came about. Way back in 1972, I was one of the bad guys who told the truth about what they were referring to as global warming, saying the world was coming to an end. Even though a lot of the Members of this body didn't join in and agree with me, every time, without exception, they came up with a bill that would do something—such as a cap-and-trade bill, for example—we defeated the bill, and it was continually defeated by an even larger margin as time went by.

President Obama came in, and when he couldn't get the legislation he wanted passed, he tried to do it through regulation. That is what he did with the Clean Power Plan—another rule that was rejected.

I only bring up those examples because they are typical regulations that put people out of business that actually came through my committee.

I am here to introduce S.J. Res. 9. This did not come through my committee; it came through a provision that is in the Dodd-Frank bill. Anyone going back to their States and talking to bankers or anyone in the financial industry, when talking about the Dodd-Frank bill, it is an example of the same type of overregulation that takes place on many of the issues that come before my committee.

Section 1504 of the Dodd-Frank bill requires the Securities and Exchange Commission to develop a rule that requires companies to report payments made to a foreign government or the U.S. Federal Government relating to the commercial development of oil, natural gas, and minerals. That is a requirement which is not found in our committee, but it is found in the committee that handled the Dodd-Frank bill.

While that may not sound all that significant, it strikes at the heart of American competitiveness. It makes public the information of our very best companies on how to win oil and gas deals. It requires companies to disclose and make public highly confidential and commercially sensitive information, and this is information that foreign competitors don't have to provide. Under this regulation, we would be required to provide it. That means that American companies would have to disclose all of the background and sensitive information that companies develop in competing for contracts of some kind having to do with oil and gasoline. It could be with another country, like Iran. It could be with individuals over there who are not friendly to the United States. Countries that don't wish to disclose the details of their commercial deals would now have a strong incentive to go with companies in countries that don't have that burdensome requirement. That is only natural.

To make matters worse, the SEC's rule lacks an exemption for circumstances in which disclosure under 1504 would violate the laws of a country where a U.S. company is operating. So it leaves U.S. companies with a choice of complying with U.S. laws or the laws of foreign countries. That is an impossible position to be in and could put U.S. employees at risk of criminal prosecution abroad for facilitating the release of this information.

If that weren't enough, the cost of complying with this regulation is enormous. American companies would have to comply, and it could cost millions of dollars. The SEC's estimate of the total compliance cost initially would be up to \$700 million. The ongoing compliance costs would be as much as \$581 million annually. Those costs would be borne by U.S. companies, and our competition would not have to do that.

The courts already struck down this rule when it was first developed in Au-

gust 2012. The DC Federal district court struck down the rule in 2013 because of two substantial errors. Specifically, the Commission had "misread section 1504 to mandate public disclosure of the reports" and had arbitrarily declined to provide an exemption for countries that prohibit disclosure.

The new rule, finalized in June of 2016, doesn't look any different. It is the same rule. Even though the SEC was told by the courts that the rule did not reflect congressional intent, they continued to put out a new rule that had the exact same problems as the one the court had vacated. It is the same rule. It is as if the Obama administration was rushing this rule out in hopes that there wouldn't be time or an opportunity for a court or Congress to overturn it. But here we are in the process of overturning it.

Last week President Trump issued an Executive order to reduce the regulatory impact on American businesses. With this CRA, we have an opportunity to effectively participate in that. Our focus should always be America first. As the Congress looks at the competitiveness of American companies, we should not be subjecting our own citizens to lawsuits, and that is exactly what this regulation would do.

By the way, I think we are going to get a lot of CRAs going forward, and I think it is important for people to understand what the CRA is. The CRA is the Congressional Review Act.

There are a lot of liberal people who like to have power concentrated in Washington—like with the WOTUS rule. They would rather have the jurisdiction of the waters of the United States with the Federal Government instead of with State governments. That is human nature. That is not something up for debate. Everybody knows that.

When individuals who are trying to centralize power in Washington go home and hear complaints from people in their States about regulations and overregulation in our society, their response is, well, that is not us, that is some unelected bureaucrat. A CRA forces Members of the Senate and House of Representatives to be held accountable to the people by having to take a position so that they can't go home and say: No, the regulators are doing this. It is interesting because it puts them in a position where, if we pass a CRA—and we are going to pass S.J. Res. 9—this will come before this body and we will have to say yes or no. Should we do away with this rule that everyone back home is opposed to? It forces them to be honest.

I think this is one CRA that many Democrats should be sponsoring and voting for, and I wouldn't be surprised if we are able to get some cosponsors.

Let me add one last point to outline what this is about. Within the Dodd-Frank bill, section 1504 is a requirement on U.S. companies competing for oil and gas deals throughout the world to disclose to their competition what

goes into their bid and how they are putting it together, even when the other side doesn't have to do that.

I look forward to having the opportunity to bring this to the floor as soon as we get our initial 30 signatures on here. Senators will see and have an opportunity to support this first CRA that I am very excited about.

By Mr. MCCONNELL (for himself, Mrs. CAPITO, Mr. MANCHIN, Ms. HEITKAMP, Mr. HOEVEN, Mr. PAUL, Mr. BARRASSO, Mr. INHOFE, Ms. MURKOWSKI, Mr. BLUNT, Mr. SULLIVAN, Mr. SHELBY, Mr. TILLIS, Mr. JOHNSON, Mr. TOOMEY, Mr. WICKER, Mr. RISCH, Mr. FLAKE, Mr. BOOZMAN, Mr. DAINES, Mr. CRAPO, Mr. MORAN, Mr. LANKFORD, Mr. YOUNG, Mr. COTTON, Mr. ROBERTS, Mr. ENZI, Mrs. ERNST, and Mr. CORNYN):

S.J. Res. 10. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule submitted by the Secretary of the Interior relating to stream protection; to the Committee on Energy and Natural Resources.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 10

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress disapproves the final rule submitted by the Secretary of the Interior relating to stream protection (81 Fed. Reg. 93066 (December 20, 2016)), and such rule shall have no force or effect.

Mrs. CAPITO. Mr. President, the last 6 years have been devastating to local economies across coal country. The Mine Safety and Health Administration has estimated that at least 60,000 coal jobs have been lost since 2011, and thousands of these jobs have been in my home State of West Virginia.

Excessive government regulation and other factors have done more than cost jobs. These policies have imperiled our coal miner retirement benefits, and they have left local governments struggling to keep up to pay for education, to pay for public works, and to pay for law enforcement. I can tell my colleagues story after story I have seen in our newspapers about this very thing.

In October, the Senate Environment and Public Works Committee heard testimony from Wayne County, West Virginia commissioner Robert Pasley. He said that the coal severance tax revenues in Wayne County in West Virginia—his county—dropped by 88 percent in 2013 and 2016. This drop left the county without a vital funding source that traditionally helped to pay for local volunteer fire departments, senior citizens programs, and education.

West Virginia University economist John Deskins told the Senate Energy

and Natural Resources Committee in August that six West Virginia counties were suffering a depression—a depression—because of the coal downturn. And just last week, the State of West Virginia projected that its annual State budget faces a \$500 million shortfall.

So what was the response of President Obama's administration in its last days in power? Yet another job-killing and anti-coal regulation that would make a bad situation in my State worse.

The Department of the Interior published its stream protection rule on December 20, 2016, and it made the rule effective on January 19, 2017—just 1 day before President Obama left office. There is a lot of irony here, and I don't think it is by chance. According to a National Mining Association Study, one-third of remaining coal jobs could be placed at risk by the rule.

Today I am proud to join Leader MCCONNELL as he introduces the Stream Protection Congressional Review Act. We are also joined by my colleagues in the West Virginia congressional delegation, including Congressman DAVID MCKINLEY and Congressman EVAN JENKINS, and others. We are going to be introducing a resolution of disapproval under the Congressional Review Act, blocking the Obama administration's stream protection rule.

Once this resolution of disapproval is passed by Congress—and I believe that it will be, and signed by President Trump, which I believe that it will be—I am confident that both things will happen: The stream protection rule will be nullified, and the Department of the Interior will be prohibited from imposing a similar rule without permission from Congress.

The stream protection rule deserves to be eliminated through the Congressional Review Act process. Despite its title—because why would we get rid of something called the stream protection rule—this rule will do little to actually protect our streams, but if left in place, this rule would cost even more coal jobs in my State and across the country that have already been devastated.

West Virginia's former Department of Environmental Protection secretary Randy Huffman told the Senate Energy and Natural Resources Committee, on which I served last Congress, that the proposed version of the stream protection rule was “an unnecessary, uncalled for political gesture.”

I would like to say that Secretary Huffman was serving under a Democratic Governor in my State.

The stream protection rule is the result of an incredibly flawed regulatory process that excluded State officials. Of the 10 States that began the regulatory process—people were asked to join together to begin this process—working with the Department of the Interior's Office of Surface Mining, eight of those States eventually removed themselves from the process be-

cause of the Department's unwillingness to actually seriously consider their input. In other words, they were just there for window dressing.

Ohio's chief of Mineral Resources Management Larry Erdos told the Environment and Public Works Committee last February that “OSM has not provided for meaningful participation with the cooperating or commenting agency states.”

Congress took action to instruct the Department of the Interior to reengage with the States, realizing what was happening here, before moving forward with this rulemaking process. However, despite this direction from lawmakers in the Congress, the Department failed to address the State concerns.

Wyoming director of Environmental Quality, Todd Parfitt, told the Energy and Natural Resources Committee that “the failure to engage cooperating agencies throughout this process is reflected in the poor quality of the proposed rule.” He called on the Office of Surface Mining to withdraw the rule and reengage with States and other stakeholders.

Last week, West Virginia's newly appointed secretary of Environmental Protection—again under a new Democratic Governor—Austin Caperton wrote to congressional leaders detailing our State's concerns with the stream protection rule. Secretary Caperton gave three main reasons for West Virginia's opposition to this rule.

First, he said that the rule upsets the statutory balance between environmental protection and allowing coal mining to take place in the first place. Second, the rule conflicts with the congressionally directed role of the States to be the exclusive regulators of mining activities. And third, the rule conflicts with the Federal Clean Water Act and State water quality standards—pretty broad-ranging concerns.

The concerns from environmental regulators in mining States across the country explain why 14 States, including the State of West Virginia, have already filed lawsuits to stop this stream protection rule. Fifteen State attorneys general, led by West Virginia's attorney general Patrick Morrisey, have written to Congress asking that this rule be blocked using the Congressional Review Act.

State environmental regulators are not alone in their opposition to this rule. Cecil Roberts, who is the president of the United Mine Workers of America, wrote just last week in support of this resolution of disapproval. He said that “the last thing America's coal-producing regions need at this time is another regulation that will have the effect of reducing employment even more and further stifling economic development.”

West Virginia cannot afford another job-killing regulation that once again inserts Washington and their one-size-fits-all standard into a regulatory process that is supposed to be effectively managed—and is effectively managed—by our State agencies.

The stream protection rule is a flawed policy that was born out of a flawed process.

The rule deserves to be eliminated promptly, and I encourage my colleagues to cosponsor the McConnell-Capito resolution of disapproval and to vote to block the rule in the coming days.

By Mr. GRASSLEY (for himself, Mr. MCCONNELL, Mr. CRAPO, Mr. LEE, Mr. CORNYN, Mr. PAUL, Mr. BARRASSO, Mr. SHELBY, Mr. GRAHAM, Mr. LANKFORD, Mrs. ERNST, Mr. BLUNT, Mr. ROBERTS, Mr. BOOZMAN, Mr. ENZI, Mr. GARDNER, Mr. ISAKSON, Mr. CASSIDY, and Mr. SASSE):

S.J. Res. 14. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Social Security Administration relating to Implementation of the NICS Improvement Amendments Act of 2007; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, the resolution of disapproval I am introducing today via the Congressional Review Act repeals a Social Security regulation that unfairly stigmatizes people with disabilities. It also violates the fundamental nature of the Second Amendment.

The Second Amendment recognizes the God-given right to self-defense. In order to take away that right, the government must have a compelling interest. Furthermore, the law of regulation to achieve that compelling interest must be narrowly tailored. In other words, the government better have one heck of a good reason for going against the Second Amendment.

The Justice Department, the Department of Veterans Affairs, and the Social Security Administration have not protected Second Amendment rights adequately under the previous administration. Our fundamental Second Amendment rights were constantly under attack.

For example, hundreds of thousands of veterans have been reported to the National Instant Criminal Background Check System without due process. Of course, that system amounts to a national gun ban list for those reported erroneously. Veterans were reported without first having a neutral authority find them to be a danger to self or others and thus have a legitimate right to deny them their Second Amendment rights. According to the government, the veterans needed a fiduciary to manage benefit payments. That is not a sufficient reason under the law. Needing help with your finances—simply needing that help—should not mean you have surrendered your fundamental right of self-defense, and it doesn't mean that you are a danger to the public.

On May 17, 2016, Senator DURBIN and I debated my amendment that would require the Department of Veterans Affairs to first find veterans to be a danger before reporting their name to the

gun ban list. During the course of that debate, Senator DURBIN admitted that the list was broader than it should have been. Senator DURBIN said: “Let me just concede at the outset, reporting 174,000 names goes too far, but eliminating 174,000 names goes too far.”

For the record, there were 260,381 names from the Veterans’ Administration sent to the gun ban list for allegedly being in the “mental defective” category. Now, it just happens that this was 98.8 percent of all the names in that category. So the Veterans’ Administration reported more names by far than any other agency.

Senator DURBIN’s staff and mine have met over these issues since that debate. I appreciate and thank Senator DURBIN for that outreach, and I want to work together with him to solve these problems for the VA. But now, the Social Security Administration is about to make the same mistake as the Veterans’ Administration; that is, unless we stop them right here and right now with this resolution of disapproval. If we don’t stop this, it could lead to hundreds of thousands of Social Security recipients being improperly reported to the gun ban list.

At its core, Social Security’s new regulation allows the agency to report people to the gun ban list under two circumstances. First, the beneficiary needs to have someone designated to help manage benefit payments. That sounds like the VA; right?

Two, the beneficiary has an affliction based on a broad “disorders list.” But the process for designating someone to help a recipient manage Social Security benefits is not a process that is very objective. But the process for designating someone to help a recipient manage their Social Security benefit should be objective.

The former Social Security Administration inspector general said the following last year in testimony about this process that offends us here in the Senate and is the reason of this resolution: “It’s not a scientific decision, it’s more of a personal opinion.”

This “personal opinion” of a bureaucrat cannot be the basis for taking away a person’s fundamental Second Amendment right to bear arms.

Further, the second element—the so-called “disorders list”—is a convoluted mess of afflictions that may or may not cause someone to be considered dangerous. Many of the listed disorders also do not impact gun safety at all. For example, some afflictions deal with anxiety disorders, fear of large crowds, or a lack of self-esteem. The list is complex, the list is long, and the list is not designed to regulate firearms. Rather, the list is designed to regulate whether a person can manage his or her beneficiary payments—in other words, can they handle money.

But here is the essential question that the Federal Government is incapable of answering. If they aren’t dangerous, why does the Social Security

Administration, like the VA, want to take away their guns?

The National Council on Disability, a nonpartisan and independent Federal agency, has come out against the Social Security Administration’s rule and in favor of the repeal that this resolution of disapproval will accomplish. The Council has repeatedly stated its concerns about the agency failing to determine that people are dangerous before reporting their names to the gun ban list.

It has been the National Council on Disability’s “long-held position that restrictions on gun possession and ownership based on psychiatric or intellectual disability must be based on a verifiable concern as to whether the individual poses a heightened risk of danger to themselves or others.”

The Council has also stated that the rule “unnecessarily and unreasonably deprives individuals with disabilities of a constitutional right, it increases the stigma for those who, due to their disabilities, may need a representative payee.”

Another organization, the Consortium for Citizens with Disabilities, a coalition of 100 national disability groups, shares the same concerns about the regulation about which we are having this resolution of disapproval: “The current public dialogue is replete with inaccurate stereotyping of people with mental disabilities as violent and dangerous, and there is a real concern that the kind of policy change encompassed by this rule will reinforce those unfounded assumptions.”

With that being said, even the ACLU wrote a letter in opposition to the agency regulation. I ask unanimous consent that these letters, as well as others, be printed in the RECORD at the conclusion of my remarks.

Simply stated, the agency rule uses a massive regulatory net that captures innocent individuals who should be left alone. Just because a person is assigned a fiduciary does not make that person or those persons dangerous. Whenever the government tries to eliminate fundamental constitutional rights, it is required to narrowly tailor its regulatory action so that innocent people are not impacted. The Social Security regulation fails in that regard.

That is why both the National Council on Disability and the Consortium for Citizens with Disabilities have called specifically for using the Congressional Review Act to repeal the final rule. That is what our introduction of resolution will accomplish.

Constitutional due process is wholly lacking. For example, the agency does not afford a beneficiary a formal hearing before his or her name is reported to the gun ban list.

Now, think about that. The Second Amendment, which recognizes a fundamental constitutional right, is being simply ripped away without a formal dispute process to initially challenge the action. Instead, the beneficiary

must wait until their name is already on the gun ban list, and only then can the beneficiary appeal the decision by the grace of the government. This process effectively reverses what should be a burden on the government. The government should not be able to strip a fundamental constitutional right without due process and then place the burden on the citizen to try to restore it.

A hearing should be afforded before the infringement of a fundamental right, not afterward. The burden must be on the government to prove its case. That simply is the American way—our Constitution’s way.

The Social Security Administration regulation falsely claims that it requires an adjudication before reporting names to the gun ban list, but there is no hearing afforded to the Social Security recipient before placing a name on the gun ban list. Of course, without a hearing, that process cannot honestly be called an adjudication. In other words, the Social Security Administration is blowing blue smoke when they say that. Without an adjudication, the process violates Federal law.

Here is the kicker. In order for beneficiaries to remove their names from the gun ban list, they have to prove they are not dangerous. Guilty until proven innocent, and the burden is on you to prove your innocence. Any way you look at it, that is totally unfair, a violation of the Constitution, but common sense ought to tell everybody it is just plain wrong.

The Federal Government, under the Obama administration, treated Social Security recipients with contempt and disregard when this rule was put out. With our resolution of disapproval, we can effectively terminate this unconstitutional government regulation, which the new Trump Administration supports. I encourage all of my colleagues to support our efforts.

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

NATIONAL COUNCIL ON DISABILITY,  
Washington, DC, January 24, 2017.

Hon. MITCH MCCONNELL,  
Majority Leader, U.S. Senate, Washington, DC.  
Hon. PAUL RYAN,  
Speaker of the House, House of Representatives,  
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL AND SPEAKER RYAN: I write on behalf of the National Council on Disability (NCD) regarding the final rule the Social Security Administration (SSA) released on December 19th, 2016, implementing provisions of the National Instant Criminal Background Check System (NICS) Improvement Amendments Act of 2007, 81 FR 91702. In accordance with our mandate to advise the President, Congress, and other federal agencies regarding policies, programs, practices, and procedures that affect people with disabilities, NCD submitted comments to SSA on the proposed rule on June 30th, 2016. In our comments, we cautioned against implementation of the proposed rule because:

[t]here is, simply put, no nexus between the inability to manage money and the ability to safely and responsibly own, possess or use a firearm. This arbitrary linkage not



only unnecessarily and unreasonably deprives individuals with disabilities of a constitutional right, it increases the stigma for those who, due to their disabilities, may need a representative payee[.]

Despite our objections and that of many other individuals and organizations received by SSA regarding the proposed rule, the final rule released in late December was largely unchanged. Because of the importance of the constitutional right at stake and the very real stigma that this rule legitimizes, NCD recommends that Congress consider utilizing the Congressional Review Act (CRA) to repeal this rule.

NCD is a nonpartisan, independent federal agency with no stated position with respect to gun-ownership or gun-control other than our long-held position that restrictions on gun possession or ownership based on psychiatric or intellectual disability must be based on a verifiable concern as to whether the individual poses a heightened risk of danger to themselves or others if they are in possession of a weapon. Additionally, it is critically important that any restriction on gun possession or ownership on this basis is imposed only after the individual has been afforded due process and given an opportunity to respond to allegations that they are not able to safely possess or own a firearm due to his or her disability. NCD believes that SSA's final rule falls far short of meeting these criteria.

Additionally, as NCD also cautioned SSA in our comments on the proposed rule, we have concerns regarding the ability of SSA to fairly and effectively implement this rule—assuming it would be possible to do so—given the long-standing issues SSA already has regarding long delays in adjudication and difficulty in providing consistent, prompt service to beneficiaries with respect to its core mission. This rule creates an entirely new function for an agency that has long noted that it has not been given sufficient resources to do the important work it is already charged with doing. With all due respect to SSA, our federal partner, this rule is simply a bridge too far. In fact, it is conceivable that attempts to implement this rule may strain the already scarce administrative resources available to the agency, further impairing its ability to carry out its core mission.

The CRA is a powerful mechanism for controlling regulatory overreach, and NCD urges its use advisedly and cautiously. In this particular case, the potential for real harm to the constitutional rights of people with psychiatric and intellectual disabilities is grave as is the potential to undermine the essential mission of an agency that millions of people with and without disabilities rely upon to meet their basic needs. Therefore, in this instance, NCD feels that utilizing the CRA to repeal the final rule is not only warranted, but necessary.

Regards,

CLYDE E. TERRY,  
*Chair.*

—  
CONSORTIUM FOR CITIZENS  
WITH DISABILITIES,  
January 26, 2017.

Hon. MITCH MCCONNELL,  
*Senate Majority Leader,*  
*Washington, DC.*

Hon. CHUCK SCHUMER,  
*Senate Minority Leader,*  
*Washington, DC.*

DEAR MAJORITY LEADER MCCONNELL AND MINORITY LEADER SCHUMER: The Co-Chairs of the Rights Task Force of the Consortium of Citizens with Disabilities (CCD) urge you to support a Congressional Review Act (CRA) resolution to disapprove the Final Rule issued by the Social Security Administration

(SSA) on December 19, 2016, "Implementation of the NICS Improvement Amendments Act of 2007." This rule would require the Social Security Administration to forward the names of all Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) benefit recipients who use a representative payee to help manage their benefits due to a mental impairment to the National Instant Criminal Background Check System (NICS).

The Consortium for Citizens with Disabilities (CCD) is the largest coalition of national organizations working together to advocate for Federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

Prior to the issuance of the Final Rule, the CCD Rights Task Force conveyed its opposition to the rule through a letter to the Obama Administration and through the public comment process. We—and many other members of CCD—opposed the rule for a number of reasons, including:

The damaging message that may be sent by a SSA policy change, which focused on reporting individuals who receive assistance from representative payees in managing their benefits to the NICS gun database. The current public dialogue is replete with inaccurate stereotyping of people with mental disabilities as violent and dangerous, and there is a real concern that the kind of policy change encompassed by this rule will reinforce those unfounded assumptions.

The absence of any data suggesting that there is any connection between the need for a representative payee to manage one's Social Security disability benefits and a propensity toward gun violence.

The absence of any meaningful due process protections prior to the SSA's transmittal of names to the NICS database. Although the NICS Improvements Act of 2007 allows agencies to transmit the names of individuals who have been "adjudicated" to lack the capacity to manage their own affairs, SSA's process does not constitute an adjudication and does not include a finding that individuals are broadly unable to manage their own affairs.

Based on similar concerns, the National Council on Disability an independent federal agency charged with advising the President, Congress, and other federal agencies regarding disability policy, has urged Congress to use the Congressional Review Act to repeal this rule.

We urge Congress to act, through the CRA process, to disapprove this new rule and prevent the damage that it inflicts on the disability community.

On behalf of the CCD Rights Task Force, the undersigned Co-Chairs,

DARA BALDWIN,  
*National Disability*  
*Rights Network.*

SAMANTHA CRANE,  
*Autistic Self-Advocacy*  
*Network.*

SANDY FINUCANE,  
*Epilepsy Foundation*  
*Law.*

JENNIFER MATHIS,  
*Bazelon Center for*  
*Mental Health.*

MARK RICHERT,  
*American Foundation*  
*for the Blind.*

THE JUDGE DAVID L. BAZELON CENTER FOR MENTAL HEALTH LAW,

January 30, 2017.

Hon. MITCH MCCONNELL,  
*Senate Majority Leader,*  
*Washington, DC.*

Hon. CHUCK SCHUMER,  
*Senate Minority Leader,*  
*Washington, DC.*

DEAR MAJORITY LEADER MCCONNELL AND MINORITY LEADER SCHUMER: The Bazelon Center for Mental Health Law urges you to support a Congressional Review Act (CRA) resolution to disapprove the Final Rule issued by the Social Security Administration (SSA) on December 19, 2016, "Implementation of the NICS Improvement Amendments Act of 2007." The Center is a national legal advocacy organization that protects and advances the rights of adults and children with mental disabilities.

This rule would require the Social Security Administration to forward the names of Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) benefit recipients who use a representative payee to help manage their benefits due to a mental impairment to the National Instant Criminal Background Check System (NICS).

The rule is inconsistent with the statute it implements, has no evidentiary justification, would wrongly perpetuate inaccurate stereotypes of individuals with mental disabilities as dangerous, and would divert already too-scarce SSA resources away from efforts to address the agency's longstanding backlog of unprocessed benefits applications toward a mission in which the agency has little expertise.

First, there is no statutory basis for the rule. The National Instant Criminal Background Check System (NICS) statute authorizes the reporting of an individual to the NICS database on the basis of a determination that the person "lacks the capacity to contract or manage his own affairs" as a result of "marked subnormal intelligence, or mental illness, incompetency, condition or disease." The appointment of a representative payee simply does not meet this standard. It indicates only that the individual needs help managing benefits received from SSA.

Second, the rule puts in place an ineffective strategy to address gun violence, devoid of any evidentiary basis, targeting individuals with representative payees and mental impairments as potential perpetrators of gun violence. In doing so, it also creates a false sense that meaningful action has been taken to address gun violence and detracts from potential prevention efforts targeting actual risks for gun violence.

Third, the rule perpetuates the prevalent false association of mental disabilities with violence and undermines important efforts to promote community integration and employment of people with disabilities. The rule may also dissuade people with mental impairments from seeking appropriate treatment or services, or from applying for financial and medical assistance programs.

Finally, the rule creates enormous new burdens on SSA without providing any additional resources. Implementation of the rule will divert scarce resources away from the core work of the SSA at a time when the agency is struggling to overcome record backlogs and prospective beneficiaries are waiting for months and years for determinations of their benefits eligibility. Moreover, SSA lacks the expertise to make the determinations about safety that it would be called upon to make as part of the relief process established by the rule.

Based on similar concerns, the National Council on Disability, an independent federal agency charged with advising the President,



Congress, and other federal agencies regarding disability policy, has urged Congress to use the Congressional Review Act to repeal this rule. We urge Congress to act, through the CRA process, to disapprove this new rule and prevent the damage that it inflicts on the disability community.

Sincerely,

JENNIFER MATHIS,  
Director of Policy and Legal Advocacy.

AAPD,  
January 26, 2017.

Hon. PAUL RYAN,  
Speaker of the House,  
Washington, DC.  
Hon. NANCY PELOSI,  
Office of the Democratic Leader,  
Washington, DC.

DEAR SPEAKER RYAN AND DEMOCRATIC LEADER PELOSI: The American Association of People with Disabilities (AAPD) urges you to support a Congressional Review Act (CRA) resolution to disapprove the Final Rule issued by the Social Security Administration (SSA) on December 19, 2016, "Implementation of the NICS Improvement Amendments Act of 2007." This rule would require the Social Security Administration to forward the names of all Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) benefit recipients who use a representative payee to help manage their benefits due to a mental impairment to the National Instant Criminal Background Check System (NICS).

AAPD is a national disability rights organization that works to improve the lives of people with disabilities by acting as a convener, connector, and catalyst for change, increasing the economic and political power of people with disabilities.

Prior to the issuance of the Final Rule, AAPD conveyed its opposition to the rule to the Obama Administration. We, and many other disability rights organizations, opposed the rule for a number of reasons, including:

The damaging message that may be sent by a SSA policy change, which focused on reporting individuals who receive assistance from representative payees in managing their benefits to the NICS gun database. The current public dialogue is replete with inaccurate stereotyping of people with mental disabilities as violent and dangerous, and there is a real concern that the kind of policy change encompassed by this rule will reinforce those unfounded assumptions.

The absence of any data suggesting that there is any connection between the need for a representative payee to manage one's Social Security disability benefits and a propensity toward gun violence.

The absence of any meaningful due process protections prior to the SSA's transmittal of names to the NICS database. Although the NICS Improvements Act of 2007 allows agencies to transmit the names of individuals who have been "adjudicated" to lack the capacity to manage their own affairs, SSA's process does not constitute an adjudication and does not include a finding that individuals are broadly unable to manage their own affairs.

AAPD urges Congress to act, through the CRA process, to disapprove this new rule to prevent the damage that it inflicts on the disability community and the extraordinarily damaging message it sends to society that people with mental impairments could should be feared and shunned.

Thank you for taking our position into consideration. If you have any questions or

concerns, please do not hesitate to contact me at (202) 521-4315 or at [hberger@aapd.com](mailto:hberger@aapd.com).

Yours truly,

HELENA R. BERGER,  
President & CEO.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 28—DESIGNATING JANUARY 27, 2017, AS "EARNED INCOME TAX CREDIT AWARENESS DAY"

Ms. BALDWIN (for herself, Mr. BROWN, Mr. COONS, Mr. REED, Mrs. SHAHEEN, Mr. DURBIN, Ms. WARREN, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 28

Whereas the earned income tax credit is a refundable Federal tax credit available to low- and moderate-income working families and individuals;

Whereas the earned income tax credit encourages and rewards work;

Whereas, in 2015, the earned income tax credit lifted approximately 6,500,000 people out of poverty, including approximately 3,300,000 children;

Whereas the earned income tax credit provides substantial economic benefit to local economies; and

Whereas an estimated 20 percent of eligible workers do not claim the earned income tax credit: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates Friday, January 27, 2017, as "Earned Income Tax Credit Awareness Day"; and

(2) calls on Federal, State, and local agencies, community organizations, nonprofit organizations, employers, and other partners to help increase awareness about the earned income tax credit and other refundable tax credits to ensure that all eligible workers have access to the full benefits of the credits.

### SENATE RESOLUTION 29—RECOGNIZING JANUARY 28, 2017, AS "NATIONAL DATA PRIVACY DAY"

Mr. DAINES submitted the following resolution; which was referred to the Committee on the Judiciary:

Mr. DAINES. Mr. President, as an engineer who worked at a cloud computing company for 13 years, I have seen firsthand how technology has become an integral part of our everyday lives. Innovative products and services have made it easier than ever to learn, communicate, and to share our data with others.

Personal data has become a form of currency, and the sharing of personal information may compromise privacy if appropriate protective action is not taken. That is why I am proud to recognize January 28, 2017; as National Data Privacy Day. Each year, our Nation recognizes this day as an opportunity for private organizations, governments, and individuals to work together to raise awareness and promote privacy and data protection best practices.

I am pleased to recognize this day and am committed to working with my colleagues to ensure the privacy of individuals is protected.

S. RES. 29

Whereas, on January 28, 2017, National Data Privacy Day is recognized;

Whereas technology has enhanced our ability to communicate, learn, and work and is now a part of our everyday lives;

Whereas personal information has become a form of currency;

Whereas it is easier now than ever before to share personal information with friends, colleagues, and companies;

Whereas the sharing of personal information may compromise the privacy of individuals if appropriate protective action is not taken;

Whereas governments, corporations, and individuals have a role in protecting the privacy of individuals; and

Whereas National Data Privacy Day constitutes a nationwide effort to educate and raise awareness about respecting privacy and safeguarding data: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes January 28, 2017, as "National Data Privacy Day"; and

(2) encourages governments, individuals, privacy professionals, educators, corporations, and other relevant organizations to take steps to protect the privacy of individuals.

The PRESIDING OFFICER. The Senator from Arizona.

## PROGRAM

Mr. FLAKE. Mr. President, the Senate is about to adjourn.

Under the standing order, we will convene at 12 noon tomorrow. Following the prayer and pledge, we will proceed to the consideration of the Chao nomination under the previous order. Following disposition of the Chao nomination, we will continue consideration of the Tillerson nomination postcloture.

## VOTE ON MOTION TO ADJOURN

Mr. FLAKE. I move to adjourn.

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

The motion was agreed to.

## ADJOURNMENT UNTIL TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 12 noon tomorrow.

Thereupon, the Senate, at 10:48 p.m., adjourned until Tuesday, January 31, 2017, at 12 noon.

## NOMINATIONS

Executive nomination received by the Senate:

EXECUTIVE OFFICE OF THE PRESIDENT

MICK MULVANEY, OF SOUTH CAROLINA, TO BE DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, VICE SHAUN L. S. DONOVAN.