

the student's consent. Mr. Hutchinson gave his consent by email, but a spokesman said the university needed a formal consent filing and would have no further comment.

Having been laid off at a convenience store and with his work as a United States Census worker suspended because of the coronavirus pandemic, Mr. Hutchinson has no income.

"When they advertised, what got me was the work-life balance. And with financial aid, it was really attractive," he said. "Even though I really enjoyed it, the financials were such a burden we just decided to discontinue."

American Public Education Inc.'s net income of \$2.4 million in the first three months of 2020 was more than double that of the same period last year, and on June 9 its stock price hit its highest closing point in a year.

RELEVANT SECTION OF THE INSPECTOR
GENERAL ACT

INSPECTOR GENERAL ACCESS ACT STRIKES b(3)

5a U.S. Code §8E. Special provisions
concerning the Department of Justice

(a)

(1) Notwithstanding the last two sentences of section 3(a), the Inspector General shall be under the authority, direction, and control of the Attorney General with respect to audits or investigations, or the issuance of subpoenas, which require access to sensitive information concerning—

(A) ongoing civil or criminal investigations or proceedings;

(B) undercover operations;

(C) the identity of confidential sources, including protected witnesses;

(D) intelligence or counterintelligence matters; or

(E) other matters the disclosure of which would constitute a serious threat to national security.

(2) With respect to the information described under paragraph (1), the Attorney General may prohibit the Inspector General from carrying out or completing any audit or investigation, from accessing information described in paragraph (1), or from issuing any subpoena, after such Inspector General has decided to initiate, carry out, or complete such audit or investigation, access such information, or to issue such subpoena, if the Attorney General determines that such prohibition is necessary to prevent the disclosure of any information described under paragraph (1) or to prevent the significant impairment to the national interests of the United States.

(3) If the Attorney General exercises any power under paragraph (1) or (2), the Attorney General shall notify the Inspector General in writing stating the reasons for such exercise. Within 30 days after receipt of any such notice, the Inspector General shall transmit a copy of such notice to the Committees on Governmental Affairs and Judiciary of the Senate and the Committees on Government Operations and Judiciary of the House of Representatives, and to other appropriate committees or subcommittees of the Congress.

(b) In carrying out the duties and responsibilities specified in this Act, the Inspector General of the Department of Justice—

(1) may initiate, conduct and supervise such audits and investigations in the Department of Justice as the Inspector General considers appropriate;

(2) except as specified in subsection (a) and paragraph (3), may investigate allegations of criminal wrongdoing or administrative misconduct by an employee of the Department of Justice, or may, in the discretion of the Inspector General, refer such allegations to the Office of Professional Responsibility or

the internal affairs office of the appropriate component of the Department of Justice;

(3) shall refer to the Counsel, Office of Professional Responsibility of the Department of Justice, allegations of misconduct involving Department attorneys, investigators, or law enforcement personnel, where the allegations relate to the exercise of the authority of an attorney to investigate, litigate, or provide legal advice, except that no such referral shall be made if the attorney is employed in the Office of Professional Responsibility;

(4) may investigate allegations of criminal wrongdoing or administrative misconduct by a person who is the head of any agency or component of the Department of Justice; and

(5) shall forward the results of any investigation conducted under paragraph (4), along with any appropriate recommendation for disciplinary action, to the Attorney General.

(c) Any report required to be transmitted by the Attorney General to the appropriate committees or subcommittees of the Congress under section 5(d) shall also be transmitted, within the seven-day period specified under such section, to the Committees on the Judiciary and Governmental Affairs of the Senate and the Committees on the Judiciary and Government Operations of the House of Representatives.

(d) The Attorney General shall ensure by regulation that any component of the Department of Justice receiving a nonfrivolous allegation of criminal wrongdoing or administrative misconduct by an employee of the Department of Justice, except with respect to allegations described in subsection (b)(3), shall report that information to the Inspector General.

THE INTER-AMERICAN
DEVELOPMENT BANK

Mr. LEAHY. Mr. President, according to press reports, the Trump administration plans to nominate Mauricio Claver-Carone to be the next president of the Inter-American Development Bank, IDB. It is also my understanding that a number of Latin American governments have already expressed support for his nomination.

As someone who has supported the IDB for decades, including at times when amendments were proposed to eliminate or reduce the U.S. contribution, it is important to be aware that this nomination could jeopardize U.S. support for and cooperation with that institution. Further, if the U.S. Treasury Department and other IDB shareholders believe this nominee will help to build support for a capital increase for the Bank in the U.S. Senate Appropriations Committee, of which I am vice chairman, Mr. Claver-Carone is the wrong nominee to make the case for such an increase.

This nomination would break a 60-year precedent that a Latin American serves as president of the IDB and a U.S. citizen serves as executive vice president. That precedent exists for a reason. The Bank is an institution working to improve the lives of millions of people in Latin America and the Caribbean, and absent a compelling reason to the contrary, it should continue to be led by a person from the region it serves. There are any number of Latin Americans who are well-qualified

for the job and who would be supported by the United States.

I am disappointed, albeit not surprised, that the Trump Treasury Department would nominate such a controversial candidate as Mr. Claver-Carone. As senior director for Western Hemisphere Affairs at the National Security Council, he has been the architect of President Trump's most ideologically driven policies toward Latin America, policies that have failed to achieve any of their stated goals. In fact, these ineffective policies have made resolving conflicts with governments we disagree with more difficult, and they have complicated our relations with friends and allies.

Mr. Claver-Carone's idea of diplomacy is often to admonish and impose sanctions, which in Latin America more often than not means unilateral sanctions, which have isolated the United States, emboldened those who the sanctions are intended to punish, and harmed people in those countries who we want to help. While there are circumstances when well-designed sanctions make sense, Mr. Claver-Carone seems to believe that even when it is obvious that sanctions have failed the solution is to tighten them rather than fix them. This approach to regional problems is wholly unsuited for the IDB, whose shareholders have traditionally supported the institution, in part, because of its long history of addressing regional priorities. A polarizing American at the helm could intensify divisions, weaken shareholder support, and diminish the Bank's ability to carry out its mission on behalf of the people it was established to serve.

I also worry that a Claver-Carone presidency at the IDB would set the Bank on a collision course with its largest shareholder, the United States, should Vice President Biden win in November. Electing Mr. Claver-Carone to a 5-year term just weeks before the U.S. Presidential election, coupled with his unpopularity with some Members of Congress, including key members of the Senate and House Appropriations Committees, would not bode well for U.S. support for the Bank in the coming years.

For these reasons, I urge the IDB board of governors to carefully consider the enormity of the economic, public health, political, and other challenges currently confronting Latin America, and the implications of Mr. Claver-Carone's election shortly before the U.S. Presidential election. These challenges have been greatly compounded by the COVID-19 pandemic, which will have grave ramifications for the social, economic, and political stability of the region for years to come.

The need for steady IDB leadership that can build consensus during this time of regional uncertainty has never been more evident than it is today.

I ask unanimous consent that an article in *The Economist* on the Claver-Carone nomination be printed in the RECORD.

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

[From the Economist, June 20, 2020]

A GRINGO TAKEOVER BID FOR THE INTER-AMERICAN DEVELOPMENT BANK

THE UNITED STATES BREAKS A GENTLEMEN'S AGREEMENT

Since it was founded in 1959, the Inter-American Development Bank (idb) has had just four presidents: a Chilean, a Mexican, a Uruguayan and, since 2005, Luis Alberto Moreno, a Colombian. Under the gentlemen's agreement by which it was founded, Latin America has the presidency and a small majority of the capital while the United States has the number-two job and some informal vetoes over how the bank is run. The idb has not been free of the faults of such institutions, such as bureaucracy and a degree of cronyism, but it has played an important role in the region. It lends around \$12bn a year for infrastructure, health, education and so on, does some useful research and advises governments. It has also been a channel of communication between the two halves of the Americas.

Donald Trump doesn't believe in gentlemen's agreements, and his administration this week broke this one. The Treasury Department named Mauricio Claver-Carone, the top official for Latin America at the National Security Council (nsc), as its candidate to replace Mr Moreno, who is due to step down in September. Mr Claver-Carone, a Cuban-American, is technically qualified for the post. He has been an adviser to the Treasury and a representative to the imf, and was involved in the Trump administration's initiatives on development finance. He has told interlocutors that he would serve only one term at the idb, would bring fresh ideas and would be better placed than a Latin American to get the Treasury's crucial support for a capital increase that would give the bank resources to mitigate the covid-19 slump in the region. These are things that many in Latin America might welcome.

But Mr Claver-Carone is a controversial choice, and not just because his nomination breaks with tradition. At the nsc he has been the chief architect of Mr Trump's Venezuela policy, which has failed in its aim of getting rid of the dictatorship of Nicolas Maduro. "He's a guy who comes with very Miami-type baggage, adversarial to Cuba and Venezuela and representing a conservative alliance," says a Latin American diplomat. "He would bring ideology directly into the bank." Mr Claver-Carone walked out of the inauguration of Argentina's president, Alberto Fernandez, in December because of the presence of a Venezuelan minister. Many who have dealt with him describe him as arrogant and confrontational.

Given the Trump administration's cold war against China, Mr Claver-Carone's appointment as head of the idb might force Latin America to choose between the two countries, which the region is reluctant to do. Although China is granting fewer loans to Latin America than it did recently, it remains one of the region's most important trade partners. The Trump administration was furious with Mr Moreno for agreeing to hold the bank's annual meeting in China in 2019 (though in the event it was delayed and moved to Ecuador because of a row over who represented Venezuela). Mr Claver-Carone has his own animus against Mr Moreno, who vetoed his appointment as the bank's vice-president.

For Latin America the loss of the idb presidency would be a big diplomatic defeat, reflecting the region's weakness and ideolog-

ical division. Its leaders are a generally unimpressive bunch. They have failed to unite behind a candidate of their own. Diplomats expected the job to go either to Brazil or to Argentina. Jair Bolsonaro's government in Brazil informally canvassed support for Rodrigo Xavier, an experienced banker. Argentina's putative candidate, Gustavo B eliz, is a competent former idb official, but its centreleft government has few allies in the region. Brazil looks likely to back Mr Claver-Carone, mainly because Mr Bolsonaro has aligned himself closely with Mr Trump. Other smaller countries may, too, because they are desperate for money.

The new president must secure a double majority, of countries representing 50% of the idb's shares (the United States has 30% and Brazil 11%) and separately of the 28 members in the Americas. That may yet be a problem for Mr Claver-Carone.

The biggest reason to oppose his nomination is that he represents a polarising administration that may well lose an election in November, making him "the earliest lame duck in history", as a South American official puts it. The sensible course would be to extend Mr Moreno's term until next year, both to give time for other candidates to emerge and to see whether Mr Claver-Carone really represents the United States.

REMEMBERING BYRON MALLOTT

Ms. MURKOWSKI. Mr. President, in the short history of Alaska as a State in our Union, there have been a handful of people—Bill Egan, Elizabeth Peratrovich, Jay Hammond, Wally Hickel, Ted Stevens—whose lives formed the fibers that wove Alaskans together. Another of those leaders passed recently.

Byron Mallott stands among the best of us. Born in the small town of Yakutat, AL, to the Kwaash Ke Kwaan clan of the Tlingit, in 1943 when Alaska was still a territory, he went on to an amazing life and career. His father was the long-time mayor of Yakutat, and when he died unexpectedly, Byron returned home from college, campaigned to take over the job, and won the election in 1965 at the age of 22. He then went on to serve the State's first Governor, Bill Egan, as the commissioner of the Department of Community and Regional Affairs. When Egan lost his reelection campaign, Byron went back home to Yakutat and served on the city council. In 1968, he ran for a seat in the State house, losing by only 23 votes. In 1969, U.S. Senator Mike Gravel hired Byron to work on his staff in Washington, DC, where he had a hand in drafting the Alaska Native Claims Settlement Act, the foundational legislation that continues to define our State and the relationship with Alaska Natives.

After ANCSA was signed into law, Byron spent 20 years working for Sealaska Corporation, 1 of 12 Native corporations which was created by the law. Sealaska is based in Juneau, and its shareholders are primarily Tlingit, Haida, and Tsimshian. Over the course of his tenure with Sealaska, Byron was a director, chairman, and then spent a decade as president and CEO of the corporation. He helped fulfill the vision of

ANCSA by supporting not just the economic vitality of the Native people in the region, but a cultural renaissance as well.

His additional business experience was extensive. Byron was a director of several commercial banking institutions, including 6 years on the Seattle Branch Board of Directors of the Federal Reserve Bank of San Francisco, multiple years as a director of the Alaska Air Group, and on the board of the National Alliance for Business. He also served as president of the Alaska Federation of Native, a brief stint as the mayor of the city and borough of Juneau, and executive director of the Alaska Permanent Fund Corporation.

But Byron was far more than a summation of his r esum e, impressive though it was. He was a good man and a good friend. When I made the decision to run as a write-in candidate in 2010, I called to ask him to be the co-chair of that campaign. His response was instant, "Yes, absolutely." When I said I was making the announcement in an hour, he said, "I'll be there." There was no hesitation, no concern that he was a lifelong Democrat, supporting a long-shot Republican candidate. He exemplified in the best way Ted Stevens' philosophy: To hell with politics, do what is right for Alaska. With Byron's help, I was able to make history by winning the second write-in campaign for U.S. Senate in the country's history. I don't know if I would have been successful without him.

In 2014, Byron made history himself when he won the Democratic nomination for Governor of Alaska, then sacrificed his own ambition by joining with the Independent candidate for Governor to create a Unity Ticket. Byron agreed to serve as the candidate for Lieutenant Governor, with Bill Walker leading the ticket. Again, we did what he felt was right for Alaska, rather than his person political gain.

The Unity Ticket won the 2014 election, but faced some serious challenges, with low oil prices and a tough deficit situation. The fiscal crisis unfortunately dominated the 4 years of the Walker-Mallott administration and created rough political seas for them to weather, necessitating some hard decisions. Through it all, Byron continued to do what he had always done, work for Alaska and Alaskans. In the end, Byron held himself strictly accountable, which is something few people do, especially in politics.

A friend of mine, Dr. Rosita Worl, says that the Tlingit mourn the passing of a leader by noting, "In our forest, a great tree has fallen." That is a fitting metaphor for Byron, who stood strong for decades, serving as both shelter and a guide for people in Alaska. Byron was a strong and proud man, not in a boastful way, but as a true leader whose passion allowed him to put all Alaskans first. His heart was Alaska, and mine is stronger for having been blessed to call him my friend. I will miss him. Alaska will miss him.