

The PRESIDING OFFICER. Without objection, it is so ordered. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Jo Emily Handelsman, of Connecticut, to be an Associate Director of the Office of Science and Technology Policy?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

#### VOTE EXPLANATION

● Mr. UDALL of Colorado. Mr. President, due to unavoidable family commitments, I was unable to cast votes relative to rollcall vote No. 215 on the motion to invoke cloture on the nomination of Cheryl Ann Krause to be U.S. Circuit Judge for the Third Circuit and rollcall vote No. 216 on the confirmation of Stuart E. Jones to be Ambassador to the Republic of Iraq. Had I been present, I would have voted yea in each instance. ●

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

The PRESIDING OFFICER. The Senator from Texas.

#### UNANIMOUS CONSENT REQUEST— S. RES. 487

Mr. CRUZ. Madam President, I rise today to discuss the facts regarding the ongoing IRS scandal that the Obama administration refuses to investigate, refuses to prosecute, refuses to address with honesty and integrity. I want to talk about the facts we know and the facts we don't know, and how we as the Senate can demonstrate fidelity to law and the integrity of the U.S. Government.

Let's talk about what we know.

We know that more than 1 year ago on May 14, 2013, the inspector general of the Treasury Department said that beginning in 2010 the IRS had improperly targeted conservative citizen groups, tea party groups, pro-Israel groups, and pro-life groups. The day the inspector general's report was made public, President Obama had described what occurred as "intolerable and inexcusable." As President Obama put it: "Americans have a right to be angry about it, and I am angry about it."

Well, if President Obama was speaking the truth when he said over a year ago that Americans have a right to be angry about this, then today after over a year of obstruction of justice, of refusing to investigate or prosecute what happened under President Obama's own standard, the Americans have a right to be far more than angry about it.

Likewise, the very same day the inspector general report came out, Attorney General Eric Holder said the IRS

targeting the conservative groups was "outrageous and unacceptable." That was more than a year ago.

What has happened in the year and 2 months that have passed since then? Although both the President and the Attorney General profess outrage and anger, not a single person has been indicted—not a single person. Although both the President and the Attorney General said they would investigate this matter, it has been publicly reported that no indictments are planned. In fact, President Obama went on national television during the Super Bowl and categorically stated, "There was not even a smidgeon of corruption to be found at the IRS."

How far we had come from the day the scandal broke when he said he was angry and the American people had a right to be angry. Fast forward a few months later and he goes on television and says there is not a smidgeon of corruption.

That is a remarkable statement for the President to have made, because Attorney General Eric Holder 4 days earlier had told the Senate Judiciary Committee that there was an ongoing investigation being conducted at the IRS.

President Obama's comments and Eric Holder's comments are facially inconsistent. Either Eric Holder was telling the truth, that there is, in fact, a meaningful ongoing investigation, or President Obama was telling the truth when he said conclusively there is not a smidgeon of corruption. One or the other was not telling the truth or perhaps President Obama was simply prejudging the investigation. Perhaps President Obama was simply attempting to influence its outcome, making clear that the outcome desired from the White House is that there is not a smidgeon of corruption. What happened to the American people having a right to be angry? Now the President is instead telling investigators the conclusion they should reach.

Regardless, it is beyond dispute that the Obama administration, the Justice Department, has not held anyone accountable for this gross abuse of power.

In a hearing in January of this year, Attorney General Eric Holder refused to answer whether even a single victim of the wrongful targeting has been interviewed.

Let me repeat that. The victims who were targeted wrongly by the IRS—the citizens—for exercising their political free speech rights, the Attorney General refused to answer if they had even bothered to interview any of those citizens.

We also note some of the emails that have been made public give the appearance that the Department of Justice may have been directly involved in the illegal targeting of citizen groups based on their political views.

Most stunningly, we know that the lead attorney investigating this matter is a major Democratic donor and a major donor to President Obama. In-

deed, she has given over \$6,000 to President Obama and Democrats in recent years.

No reasonable person would trust John Mitchell to investigate Richard Nixon. Yet the Obama administration is telling the American people the investigation into the wrongful targeting of conservatives will be led by a major Obama Democratic donor. That is contemptuous. It is contemptuous of the law; it is contemptuous of the American people. One would think that if you appoint a major Obama donor to lead the investigation, it is likely that the victims would not be interviewed, that no one would be indicted. And, wonder of wonders, what has happened? The victims have not been interviewed and no one has been indicted.

But that is not all. We have seen Lois Lerner, the head of the IRS office that illegally targeted conservative citizens, go before Congress and repeatedly plead the Fifth. When a senior government official takes the Fifth, that is an action that should be taken very seriously. Yet it seems in this town partisan politics trumps fidelity to law. What Lois Lerner said in the House of Representatives by pleading the Fifth is effectively standing there saying, "If I answer your question, I may well implicate myself in criminal conduct." That is chilling.

Let me note with sadness that the Democratic Members of this Chamber seem to have no concern about a senior IRS official pleading the Fifth repeatedly because truthfully answering the questions could implicate her in criminal conduct.

Throughout it all Americans have been told that the Obama administration would find out what happened and would take the necessary actions.

Indeed, the new head of the IRS, Commissioner John Koskinen, promised as much. Now we find out that this new Commissioner is also a major donor to President Obama and Democratic causes. This new Commissioner of the IRS has given nearly \$100,000 to the Democratic Party, including \$7,300 to President Obama. What fairminded person would entrust not one but two major Obama donors to investigate how the IRS used political power to go after the enemies of President Obama? Not one but two—the lead lawyers in the Department of Justice heading up the noninvestigation that is not interviewing the victims, that is not indicting anyone, and the head of the IRS giving nearly \$100,000 to Democratic causes.

We received even more striking news, that Commissioner Koskinen tells us the IRS lost Lois Lerner's emails. Oops, sorry. The dog ate my homework.

Madam President, if you or I tried that in our IRS returns, they wouldn't accept that excuse from a citizen. We are told the hard drive crashed and the documents are irretrievable under any circumstances. We also know the IRS didn't follow the law when it failed to