

NAYS—37

Baldwin	Hirono	Reed
Blumenthal	Kaine	Reid
Booker	King	Sanders
Boxer	Klobuchar	Schatz
Brown	Leahy	Schumer
Cantwell	Markey	Shaheen
Cardin	Menendez	Stabenow
Coons	Merkley	Udall
Durbin	Mikulski	Warren
Feinstein	Murphy	Whitehouse
Franken	Murray	Wyden
Gillibrand	Nelson	
Heinrich	Peters	

NOT VOTING—1

Donnelly

The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 37.

Two-thirds of the Senators voting, a quorum being present, not having voted in the affirmative, the bill, on reconsideration, fails to pass over the veto of the President of the United States.

Mr. WHITEHOUSE. I move to reconsider the vote.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

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

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

LYNCH NOMINATION

Mr. LEAHY. Mr. President, nearly 4 months ago—not 4 weeks ago but 4 months ago—President Obama announced his intention to nominate Loretta Lynch to be our country's next Attorney General. I had the privilege of attending that White House ceremony. In fact, I took this photograph at the ceremony.

But as I took it, I was mostly moved by what Ms. Lynch explained. She said she was excited about the challenge of becoming our Nation's chief law enforcement officer. She noted with obvious admiration that the Department of Justice is the only Cabinet Department named for an ideal. Think of that. The Department of Justice. It is named for the ideal of justice.

We know from Loretta Lynch's long public service career that she aspires to make that ideal a reality. She will when she becomes Attorney General of the United States. As U.S. Attorney for the Eastern District of New York, she brought countless terrorists and cyber criminals to justice. She obtained convictions against corrupt public officials from both political parties. She fought tirelessly against violent crime and financial fraud. Her record shows as Attorney General she will effectively, fairly, and independently enforce the law.

As many people have said, she is a prosecutor's prosecutor. Her record of accomplishment goes beyond just that. It goes to who she is as a person. It is bolstered by the faith and values instilled in her by her family. The Judiciary Committee was honored to have her proud father, the Reverend Lorenzo Lynch, with us not only at both days of the historic hearings in January, but also last Thursday as the committee considered his daughter's historic nomination.

When Loretta Lynch was a young child, Reverend Lynch bravely opened his church to students and others to organize lunch counter sit-ins in North Carolina. He taught his only daughter that "ideals are wonderful things, but unless you can share them with others and make this world a better place, they are just words." Every one of us who has ever been in public service ought to listen to that. The fact that she has dedicated the majority of her career to public service reaffirms that she has lived those ideals of justice in the service of others.

Last week, the committee reported her nomination favorably with a bipartisan vote. I wish the vote had been unanimous. I suspect that if the President who nominated her had been a Republican, she would have been confirmed by now. But in the sixth year of this administration, perhaps there is no one who can be confirmed unanimously, because those Republicans who are opposing Ms. Lynch are not doing so based on her record. They are opposing her because they disagree with a decision that President Obama made and that she played no part in. That is not treating her fairly.

One need only look at her supporters to know how nonpartisan her nomination really is. Louis Freeh, the former Director of the FBI and a Federal judge, has written:

[I]n my twenty-five years of public service—23 in the Department of Justice—I cannot think of a more qualified nominee to be America's chief law enforcement officer.

I know Judge Freeh very well. He is a man of total integrity. He would not say this unless he strongly believed it.

The current New York Police Commissioner, who was appointed by a Democrat, and a former New York Police Commissioner, appointed by a Republican, both strongly support her nomination.

Even prominent Fox News hosts have praised Loretta Lynch's work as a prosecutor. Bill O'Reilly has called her a hero for her prosecution of a child rapist. Megyn Kelly, of Fox, has described Ms. Lynch as a "straight shooter" for her service as a Federal prosecutor, especially for her crackdown on gang crime and terrorism.

Ms. Lynch also has broad support from law enforcement, fellow prosecutors, civil rights groups, and numerous other prominent individuals.

I ask unanimous consent to have a list of letters in support of her nomination printed in the RECORD following my remarks.

Nobody else is seeking the floor. I ask unanimous consent to go beyond the 10 minutes allotted, up to 3 extra minutes.

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

Mr. LEAHY. In January, Ms. Lynch testified before the Senate Judiciary Committee for nearly 8 hours. She has now responded to nearly 900 questions for the record. I have been here 40 years and I have a hard time remembering somebody who has answered so many questions. The witnesses invited by Republicans to speak on this, not a single one of them actually opposed her nomination. In fact, I asked all of the outside witnesses: If anybody here opposes her nomination, would you please raise your hand. Nobody did.

Despite this, some voted no—some Republican Senators voted no on her nomination in committee. Some of these Senators opposed her because she would not renounce the President's Executive action to keep immigrant families together. They are attacking her for this. They blame this on her. But they fail to acknowledge that if the Republican leadership in the House had just allowed a vote on the immigration reform that passed the Senate, then the President would not have been compelled to act.

Very hard-working Republicans and Democrats came together in this body to pass by a 2-to-1 margin an immigration bill. Most people felt it would pass the House of Representatives had it been allowed to come to a vote. But the Speaker determined not to let it come to a vote. You cannot then say: We are not going to vote on anything, but, oh, by the way, we are not going to let the President do what Presidents have always done in the absence of legislation, take executive action.

Now we all agree that we have problems in our immigration system. We all agree that we need legislation to fix it. The President is not going to do that. Congress has to do it. We have to stand up and vote for or against changes. But to blame the Attorney General nominee for this is simply unfair. To blame her because the House of Representatives will not vote on immigration is not fair. Ms. Lynch played no part in the President's decision to set the prosecutorial priorities of the administration.

As a Federal prosecutor in New York, no one has claimed that Ms. Lynch has failed to enforce the law. There is no legitimate reason to delay her vote any longer. In fact, there are a whole lot of people in prison today who wish that she had not enforced the law. But if they were guilty of crimes, she enforced it, whether Republicans, Democrats—no matter who they were—and with quite a few terrorists—she enforced the law. She put them in prison.

So we should examine Loretta Lynch's nomination based on her