

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS CONSENT REQUEST

Mr. SCHATZ. Mr. President, anyone who has tried to buy a carton of eggs at the grocery store lately has probably seen a sign on the empty shelves saying there is a national shortage of eggs because of the bird flu.

The reason notices like this exist is because the Department of Health and Human Services tracks disease outbreaks around the clock and notifies the public in real time. And, of course, we take that for granted. We should take that for granted. It is the kind of thing that the government just does and that we normally don't argue about.

There are a lot of things for us to argue about, but whether or not the government should tell us if there is a public health problem has never been something that we have argued about. We take it for granted, but it is an invaluable service that keeps the public safe and healthy, which is why it was so bizarre that in one of his first acts as President, Donald Trump suspended all—all—communications from HHS—health advisories, scientific reports, updates on the website, all of it.

What is that supposed to do other than keep people from getting the information that they need to keep their families healthy? This is about being able to know if a certain kind of meat or vegetable has been contaminated and staying away from it.

For instance, when there was an E. coli outbreak at McDonald's last year, the FDA immediately sent out an alert, which the press picked up on and warned the public about. Those communications are paused. Cucumbers at Costco is another example. E. coli at McDonald's—I don't mean to pick on these particular companies; lots of retail operations have their various public health problems.

I understand elections have consequences, right? And it is within the scope of a new administration that is reasonable for them to kind of take a look at all public policy and implement their own public policy. But, look, this is a little nuts.

I am assuming that there was a person in the White House or in the transition team writing up a bunch of Executive orders and thinking through an ideological lens or even an electoral lens. Fair enough. And they wanted to have a bunch of Executive orders ready to roll. So day one—boom, nothing coming out of HHS.

But the problem is, this isn't partisan; this isn't what people thought they were voting for; and this really could jeopardize the public health. So

the resolution I am introducing and asking for unanimous consent on is very simple. It reaffirms the very basic belief that people deserve to have timely and accurate information relevant to their health and well-being.

We are not arguing about like a COVID response. We just want to know if there is a problem in what you are about to eat. And suspending those communications has nothing to do with party. It has to do with keeping everybody safe. So if there is a problem during this pause, the Department of Health and Human Services will not communicate to the public about it.

As if in legislative session, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to the consideration of my resolution at the desk; further, that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Florida.

Mr. SCOTT of Florida. Reserving the right to object, I think all of us can agree with my colleague. We can agree it is very important the American people have readily available access to accurate and timely public health information. I don't think anyone disputes that, and no one should have to doubt the important work done by the Department of Health and Human Services to provide the American people with the information they need to remain healthy and safe.

But this resolution is unnecessary. The new administration just took office and issued a temporary pause until February 1 on all communications coming from its Agencies without approval. They have every right to do this.

To be frank, they have a lot of problems to solve from the prior administration.

I hope we can focus on confirming nominees quickly. The sooner his team gets in place, the sooner he can deliver on his promises to the American people. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

NOMINATION OF ROBERT F. KENNEDY, JR.

Mr. SCHATZ. Mr. President, a new story was published today about the extent of Mr. Robert F. Kennedy's involvement in the 2019 measles outbreak in Samoa, and it shot a chill down my spine. That is not a rhetorical flourish. I read it and I felt hot, I felt angry, I felt worried.

We already know that he flew halfway across the world to Samoa to spread lies about the measles vaccine and discourage people from taking it. We already know that as a result, there was a measles outbreak. Five thousand people got measles; 83 people died; 79 of them were children.

But I think there is a new fact here that is worth lingering on. He saw it as

a great research opportunity—he saw it as a great research opportunity. He literally took an informatics expert—somebody who studies how people receive information—with him to Samoa to run a “natural experiment” studying what would happen to kids if they weren't vaccinated.

Let me tell you why this is personal to me. My dad is my hero. May his memory be a blessing. He is my hero for a number of reasons; but among them, he was a young doctor, and he was reading the New England Journal of Medicine. He was right out of medical school, and he read about something called the Tuskegee experiments.

What happened in the Tuskegee experiments is the United States Public Health Service withheld lifesaving medication from African-American men to “observe the disease process.” They considered these men expendable. They provided half of the cohort with penicillin, which they knew would cure syphilis, and half of the men with a placebo without telling them to, again, observe the disease process.

And so my dad went on the record and Congress actually intervened many years later with Tom Harkin, and on a bipartisan basis, making it explicit that the U.S. Public Health Service has to observe the Hippocratic Oath: “Do no harm.”

Do no harm.

And it is a dark history for America but a proud moment as I think of my father and his legacy.

But the one thing I never thought would ever occur is that more than 50 years later, we would be at the precipice of confirming a person to run the Department of Health and Human Services who, in this era—50 years after the Tuskegee experiments—flew to Samoa, encouraged people not to take the measles vaccine, watched 5,000 people get sick, watched 83 people die, watched 79 kids die and said: This is a real opportunity for data collection so we can see how this plays out.

I am still a little shocked that this person isn't going to be rejected 100 to 0. I understand partisanship. I understand loyalty. I am not immune to partisan pressures on my own side. But this guy is different. This guy is about to run the Department of Health and Human Services and he doesn't have just, like, one weird idea about one certain aspect of public health. He is a person who has flown across the planet to cause outbreaks of diseases that are generations in our past.

And to add insult to injury, he is repeating the moral mistakes of the Tuskegee experiment that has been actually outlawed by the United States Congress.

I will be talking about this more, but I am just hoping that—we fight about a lot of stuff in this building, but I know there are a lot of people on both sides of the aisle that take their obligations seriously to provide advice and consent to the President of the United States, whether you voted for him or not,

whether your State voted for him or not.

This is an opportunity to say we are a separate and coequal branch of government and if you are a Republican, say: Listen, I support this President, but I don't support this nominee because I don't want measles or mumps or rubella or polio to make a comeback.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KAINE. Mr. 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 PETER HEGSETH

Mr. KAINE. Mr. President, I rise to talk about the pending matter of the Pete Hegseth nomination to be Secretary of Defense.

Before I get into the bulk of my comments, I want to just state my own record in terms of votes for the Secretary of Defense as a member of the Armed Services Committee. This administration is the fourth Presidential administration I have been part of. I was elected with the second Obama administration, then served in the first Trump administration, then the Biden administration, and now a second Trump administration. As to my track record as an Armed Services Committee member and as a Member of this body, I voted for every Secretary of Defense nomination before the body.

In focusing on the Trump nominees, President Trump nominated General Mattis to be Secretary of Defense. I voted for him in committee. I voted for him on the floor, and he received a 98-to-1 vote with 1 abstention when he was before us in 2017. Secretary Mattis served during a portion of President Trump's term and then stepped down, and President Trump nominated Mark Esper, who had been the Secretary of the Army, to succeed General Mattis.

A Trump administration nominee paid me the honor of asking if I would introduce him before the Armed Services Committee, and I did. He is a Virginian. I had worked with Secretary Esper when he was the Army Secretary on military housing issues. He had been responsive and professional. So I said: Sure. You are President Trump's nominee, but I am going to introduce you before the committee.

Secretary Esper was approved in the committee—I think unanimously—and the vote on the floor for Secretary Esper was 90-8-2.

I bring that up just to say it is not my desire or norm to stand on the floor and speak in opposition to a nominee for Secretary of Defense or to speak in opposition to a nominee by President Trump for Secretary of Defense.

I spoke the other day—probably 2 days ago—here about why I am opposing Pete Hegseth to be Secretary of De-

fense. What I want to focus on today is his claim. I know my colleagues have been on the floor all day long explaining their own reasons for their opposition to Pete Hegseth, but I want to just really drill down on what Pete Hegseth is saying about the allegations that folks are making against him.

This was pretty apparent in the committee hearing a week ago Tuesday, and it has been consistent since. It was most clear in a recitation that he had back and forth with Senator KELLY of Arizona.

Senator KELLY asked him: I am just going to ask you really simple questions. Here is an event that someone says you participated in; true or false?

Again and again and again, what Pete Hegseth said was "anonymous smears." He didn't say "false" because if you say "false" to something that you have done, it could verge on perjury. He didn't say "true" because if you say "true" to these kinds of allegations, it could be disqualifying.

So it was a very interesting litany where, again and again and again, Senator KELLY said: Here is an event; true or false?

"Anonymous smears."

"Anonymous smears" was a very, very sophisticated way of not answering the question. Yet, even as I examined Pete Hegseth about marital infidelity and about a sexual assault allegation against him that led him to make a payout to the complainant, about allegations of spousal abuse, again and again, what he said was "anonymous smears."

So what I want to do during my time today, since I have already laid out sort of my bill of particulars about why I am not supporting his nomination, I want to focus on this: The claims that have been made against Pete Hegseth are not anonymous, and they are not smears. They are not anonymous, and they are not smears.

Let me start with "not anonymous."

To begin with, many of the claims are claims that have been admitted by Pete Hegseth. So let's start with the man himself. He has admitted serial infidelity in both of his first two marriages. He told me at the committee hearing that he took an oath of fidelity to his wife, but he admitted to serial infidelity. That is not an irrelevant factor when we are analyzing whether someone who takes an oath to become Secretary of Defense is able to carry out that oath.

Pete Hegseth admitted as recently as yesterday that he made a payout to somebody who charged him with a sexual assault. There was an incident in Monterey in September of 2017 that led to a criminal sexual assault complaint and a criminal investigation. It did not lead to criminal charges, but it did lead to a civil charge and a settlement and a payout and a nondisclosure agreement. He has admitted to all of that. He claims it was a consensual event, and the victim claims it was a sexual assault, but as to the fact of the inter-

action and the fact that it was both cheating on an existing wife and also on the mother of a newborn child, he has admitted to all of that. It is not an anonymous claim when Pete Hegseth has admitted to this.

Second, it is not anonymous what Pete Hegseth's mother wrote to him. Pete Hegseth was in the middle of a very contentious divorce from his second wife, Samantha, in 2018, and he received a most extraordinary email from his mother. This is not anonymous, and I want to read the email. It is an extraordinary bit of tough love from a mom to a son.

Son, I have tried to keep quiet about your character and behavior, but after listening to the way you made Samantha feel today, I cannot stay silent. And as a woman and your mother I feel I must speak out.

You are an abuser of women—that is the ugly truth and I have no respect for any man that belittles, lies, cheats, sleeps around, and uses women for his own power and ego. You are that man (and have been for years) and as your mother, it pains me and embarrasses me to say that, but it is the sad, sad truth.

I am not a saint, far from it, so don't throw that in my face, but your abuse over the years to women (dishonesty, sleeping around, betrayal, debasing, belittling) needs to be called out.

Sam is a good mother and a good person (under the circumstances that you created) and I know deep down you know that. For you to try to label her as "unstable" for your own advantage is despicable and abusive. Is there any sense of decency left in you? She did not ask for or deserve any of what has come to her by your hand. Neither did Meredith.

Meredith was the first wife.

I know you think this is one big competition and that we have taken her side . . . bunk. . . . We are on the side of good and that is not you. (Go ahead and call me self-righteous, I don't care.) Don't you dare run to her and cry foul that we shared with us. . . . That's what babies do. It's time for someone—

Someone—

(I wish it was a strong man) to stand up to your abusive behavior and call it out, especially against women.

We still love you, but we are broken by your behavior and lack of character. I don't want to write emails like this and never thought I would. If it damages our relationship further, then so be it, but at least I have said my piece.

And yes, we are praying for you (and you don't deserve to know how we are praying, so skip the snarky reply).

I don't want an answer to this . . . I don't want to debate with you. You twist and abuse everything I say anyway. But . . . on behalf of all the women (and I know it's many) you have abused in some way, I say . . . get some help and take an honest look at yourself . . . Mom.

This is not an anonymous smear. I know a little bit about a mother's love. I know a little bit about a mother's tough love. This is not an anonymous smear, but it is an extraordinary, painful, candid rebuke.

Why do I have this letter? This is not a letter that anyone in this body had. This is a letter that appeared in a newspaper about a month ago. The only people who would have had this email are family, the people closest in