

that our students' data is protected, as DOGE tries to muck around with no oversight or accountability, she made it very clear she would not stand in their way.

But it gets worse, because when it comes to Trump's mission of destroying the Department of Education, she is all too ready to grab a hatchet and get to work.

The irony is that while Trump and Musk talk about eliminating the Department of Education, they are trying to involve the Federal Government even deeper into the schools than ever before. They talk about how schools and parents know best, and then they threaten schools if they don't do what they say. Apparently, Mrs. McMahon thinks: Why should we have a Department of Education if Trump and Elon Musk can actually just tell schools what they can do and what they can teach?

Let's be clear on what it will mean if Trump, Musk, and McMahon have their way and try to turn the Department of Education into something that kids read about in our history books. There are 26 million K through 12 students from low-income neighborhoods who could see their schools lose Federal funding, lay off teachers, or even close. There are 9.8 million students at our rural schools that count on Federal support, which could face similar challenges. There are 7.4 million students with disabilities who could see the IDEA Program upended, cutting off support that State and local taxpayers will need to provide.

There are 6.6 million students who get Pell grants to help them afford college or enter the workforce or further their careers who would be impacted by the chaos of abolishing the Department. And there are 8.1 million high school students and 3.3 million college students who are served by our career and technical education programs that are administered by the Department of Education.

Trying to abolish the Department, or even just taking a wrecking ball to the critical work that it does, will hurt our students who face homelessness. It will cut off Federal aid to students who want to pursue a higher education. It will undermine the enforcement of the rights of students with disabilities. It will reduce assistance intended to lift up students not getting the support they need. It will weaken protections for students and scrap evidence-based research that helps us know what is working, for whom, and how. And it will leave for-profit colleges free to rip off students and families, which we have seen happen in the past, and we can't let that happen again.

So the fact that Mrs. McMahon has not opposed Trump's grand plan to abolish the Department of Education is not just a redflag to me. It is a blinking, blaring fire alarm. It means either she doesn't fully understand just what the Department does and how devastating it would be to abolish it, or

she doesn't care. Either way, I find that disqualifying.

So here is my message to everyone. Like any good preschool teacher, I will make it short and simple: We cannot have a Secretary of Education who doesn't believe in having a Secretary of Education.

It is kind of common sense. Why would we have someone in charge of the Education Department who thinks it should not exist, who doesn't care if we have a Department focused on getting our students and schools the support they need.

Madam President, let me finish with this. I still have in my office a quilt that my kids in my preschool made for me on the very last day I taught preschool. It is hung prominently on the wall of my biggest meeting room. It is a beautiful patchwork of squiggles and smiles drawn in bright, messy crayon. When I look at it, I remember the little hands that made each one of those squares. I think about those little heads with big, curious minds and a world of possibility before them. I remember the responsibility that we all felt to make sure they were leaving our preschool ready to succeed. I wonder how many of those children that made those little, small squares now have kids of their own, and I reflect on how the decisions we make in education today—the policies that we fight for, the people that we confirm or reject here—will set a course for our children and our country for years to come.

There are two clear courses ahead of us with this vote: one where we have a Department of Education that continues to work to support every student and give them the brightest possible future or one where we don't—one where every kid is on their own, one where lights are turned off and doors are shut and opportunities are closed, unless you happen to have the right ZIP Code or the right money.

I know which future I am going to vote for today: the one where we live up to our responsibility and all of our kids can live up to their fullest potential and pursue big dreams. I urge my colleagues to join me today in voting for that future and against Linda McMahon for Secretary of Education.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

PROTECTION OF WOMEN AND GIRLS IN SPORTS
ACT OF 2025

Mr. TUBERVILLE. Madam President, today, we have a very important day for women and girls across this country. The third time is the charm. This is the third time that I have had a vote on this bill. The other two times it has failed because we have had almost zero Democrats help to support women and girls in sports.

Over the past 4 years, women's sports at all levels have been under attack. Since the beginning of time, people have agreed that sex is assigned at birth and determined by God. But under the Biden administration, you

had people claiming that men can get pregnant—pure, absolute insanity.

But it didn't stop there. They weren't content just to erase gender norms that have been accepted for thousands of years. No, they wanted to allow transgender men to participate in women's and girls' sports. This has been happening at schools all across our country. We have women's teams in some States that are all boys. Let me say that again. We have women's teams in some States participating on the high school level that are all transgender boys—no opportunities for girls or women to participate on the team.

Young women have been forced to compete against men and even share locker rooms and shower time. And on top of that, your taxpayer dollars are paying for it.

Thankfully, President Trump just signed an Executive order that said no more—no more Federal money to any State that allows this to happen. But you have to understand, this only lasts as long as President Trump is in office. So we need this vote, which is going to happen in around an hour, to pass so we can make this into law.

This Executive order that he signed can be reversed. So we are going to continue to fight some States that are even not going by the Executive order—like Maine, some in Michigan, some in New Jersey. Some are saying, "We are not going to go by that law," even though the President of the United States says that men and women can't participate on the same team. That will end up going to court. So we will see how that happens and what the answer will be.

But a big part of the problem is that we have created an unfair playing field where different States have had different laws impacting women and girls everywhere. This is not only confusing, but it is very, very dangerous. Congress needs to act on this to protect women in sports and to ensure title IX protections are preserved.

My bill that we are voting on today, in about an hour, the Protection of Women and Girls in Sports Act, would make sure women's rights to equal competition, equal scholarships, and safe locker rooms are all protected.

This legislation has already passed the House, just about a month ago, with two Democrats actually supporting it. I appreciate the support of all of my Republican colleagues on this. You have all joined me in championing this very important cause for the past 3 years.

I especially want to thank Leader Thune for bringing this bill to the floor here in the U.S. Senate. This will be the third time. It is hard to get a bill on this floor, but it is so important, and he understands that.

I also want to thank my friend and former colleague Senator JOE MANCHIN of West Virginia, who is the only Democrat in the last few years to support

this, when he was in the Senate. Unfortunately, my other Democratic colleagues have been radio silent on this very issue, despite the fact that a recent poll shows 67 percent of Democrats do not want men in women's sports—67 percent.

So I would like to make the case to each and every one of my colleagues today on this important issue.

As most of you know, I spent 40 years as a coach. What you may not know is that my first job wasn't in college, but it was coaching high school girls' basketball. I don't want to date myself, but that is about the time title IX started, and it was implemented—most of it—during my tenure as a girls' coach.

I saw firsthand how the immediate difference was made through title IX. Before title IX, in a lot of schools, college women athletes really didn't exist. You had very few sports. You might have had basketball. You might have had track. But you didn't have volleyball. You didn't have softball. You didn't have anything else.

When title IX came about, we started more women's sports. After title IX was enacted, things started to change. For the first time, young women I coached had equal access to facilities, resources, scholarships, and all kinds of competition. I saw these hard-working young women go to start successful careers and become leaders in their communities, and a lot of it was because of their opportunity to play sports at every level.

I still keep in touch with many of these young girls. They are not young anymore, but I am proud of them for the success they had. Looking back on it now, I wonder if they would have had the same opportunities had we not had title IX. Would they have had the same success if they had to compete against male athletes?

One of the most frequent talking points from the other side on this issue is: It is not a big deal. It isn't impacting that many women.

That is not true. At least 900 medals that belonged to women have gone to men just over the last few years of men competing against women. In Pennsylvania alone, 66 female athletes have lost placements to male participants since 2020. Now, how sad is that? For each woman, the medals that went to men—there are potentially hundreds of other women who lost out on that same opportunity, not to mention the hundreds of girls who perhaps did not make a team at all because they did not have a spot. You only can have so many on a team. How many young women missed out on a scholarship because that man or biological boy took that scholarship? It is not fair.

So no, this is a minor issue impacting a few Americans; that is what my Democrat colleagues are saying—only a few.

You know, I took the liberty of looking up how many women and girls participate in women's sports in some of

my Democrat colleagues' own States. More than 77,000 girls participate in high school athletics in the State of Georgia. In Michigan, 114,000; in Virginia, 164,000; New Hampshire, 17,000; Pennsylvania, almost 150,000; New Mexico, almost 20,000; Minnesota, 98,000; Arizona, 120,633. Don't tell me it is not going to affect these States when today my Democrat colleagues come on this floor—that represent these States—and vote against this bill. It will affect it, and it will affect it for years.

So, as you can see, men competing in women's sports has had a negative impact on a lot of different girls across this country, but, you know, it is not just trophies. It is about playing time. It is about learning and being on a team, learning how to win, learning how to lose.

Again, going back to what I said earlier, there are entire high school teams that are women's teams that are nothing but transitioned biological boys. Because of that, you have the young girls sitting in the classroom or going home or in a PE class that don't have that same opportunity. It is the principle of the thing.

Title IV has always been about protecting women.

Last week, my wife Suzanne and I were proud to welcome our first granddaughter Rosie Grace. She is about 5 or 6 days old. We want her to have the same opportunities that all the other girls have had over the years. She deserves that right—fair competition, scholarships, trophies.

I have already bought her her first set of golf clubs at age 5 days old. But if Democrats have their way today, she may one day be forced to compete against a man.

Let me tell you something. If she has to dress in a locker room with a boy, you are looking at a grandfather that will raise hell. If they shower in the same showers, we are going to have problems.

So what we are creating here are more and more problems across the country that we don't need. I heard a story the other day about a sixth grade girl in Minnesota who was changing in a locker room after swim practice when a biological man who identified as a female walked in and came within 4 or 5 feet of the young girl to grab something. Let me tell you, her dad came unglued. You would have, too. Anybody would have.

So this is not about politics; this is about right or wrong. Seventy-nine percent of Americans agree on this issue: Allowing men to compete against women is just plain wrong. Seventy-nine percent of the entire country.

Like I said earlier, 67 percent of my Democrat colleagues—their constituents say: No way, Jose. This is not going to happen.

So to my colleagues on the other side of the aisle, you may want to check with your constituents before you make this vote today in about an hour

because if polling is even close to correct, 8 out of 10 of your voters do not want men participating against women.

If that doesn't strike a chord with you, let me ask you this: Do you have a daughter? Do you have granddaughters? Do you have nieces? How would you feel if they trained for years, waking up early every morning, staying after school late practicing, putting in those long hours where nobody else is watching, missing spring break, family vacations, birthday parties, and holidays, making a tremendous physical and financial sacrifice, all so they can one day have an opportunity to either win a trophy or win a scholarship, but then only to have the opportunity ripped away by a bigger, faster, stronger male athlete because they want to participate against women?

Well, you know what, that happened to somebody, and most of you probably know who it is—Riley Gaines. Riley worked her entire life to earn a scholarship to the University of Kentucky in swimming. She was winning races left and right until a man named Will Thomas changed his name to Lia Thomas and signed up for the Kentucky women's swim team.

Riley and Will Thomas ended up tying in one race for fifth place in the 2022 NCAA Women's championship tournament. Riley wasn't even allowed to have a trophy. The NCAA came and said: We only have one trophy. We are going to give it to Lia because we think that is important.

Imagine if Riley was your daughter and all that time and effort was put into her career, her life, to win a trophy, but she had a biological boy decide he wanted to be a woman? Beyond that trophy, how would you feel knowing your daughter is sharing a locker room with that same man—which she refused to do and dressed in a janitors locker room.

You know, I have heard from countless girls across the country who have described to me how men have joined their teams and proceeded to undress in front of them, much to their horror. One particular young woman Paula Scanlan, who swam at the University of Pennsylvania, shared how being forced to be in a locker room with a male was particularly traumatizing for her as she had already survived a sexual assault months earlier.

It is just plain awful what we are doing to these young women. Plain awful. No common sense.

Thanks to President Trump's Executive order, the NCAA recently announced men will no longer be allowed to compete against women on the college level.

While this is a step in the right direction, the NCAA's rules still allow to this day—NCAA changed their rules, but they still allow biological boys or men to enjoy all the other benefits of being on a women's team—practicing, dressing in the locker rooms, showering—but they just can't compete in a

game. That makes no sense. The NCAA needs to stand up for young women across this country and say: No way. It just makes no sense when we have made that rule.

To fully protect women, Congress needs to pass legislation on this, as I said earlier. We have to pass it. It is the only way it is going to stop because the people out there that have lost their minds are going to continue to force this to happen.

The Protection of Women and Girls in Sports Act would prevent a school from receiving Federal funding if it lets boys compete against women. That is the only way we can stop it. It also defines gender as male and female—what an idea, right?

I have seen some of my colleagues on the left voice concerns about this type of language being hate speech: This is hateful to do this. I don't see it that way. What is hateful is allowing women's scholarships and opportunities to be stripped away from their hard work and given to biological boys. I thought we left discrimination against women behind in this country decades ago, but I guess not because here we are in 2025 hanging women and girls out to dry.

Think about it. Are we going to sacrifice the rights of 50 percent of this country for the rights of a small few?

I was deeply disturbed this summer to see the videos of men boxing against women in the Olympics. You know, when I was growing up, I was taught that, hey, you should never hit a girl, but I guess that is OK nowadays. One study found that males can punch 162 percent harder than females. Perhaps that is why you rarely hear about a woman competing in men's sports. It is not politically correct to say, but it is true.

Someday, somebody is going to get seriously injured if we don't do something about this. It is unsafe, it is unfair, and it is downright wrong.

I have heard from countless parents, students, teachers, and coaches all over the country about this issue. It is a huge topic. I bet my Democrat colleagues in blue States have heard the same questions even if they won't admit it.

The American people are on the same page on this, and their verdict is in: They want men out of women's sports and women's locker rooms.

Let's do the right thing. This doesn't have to be a Republican or Democrat issue. This is about standing up for girls and women, which I know my Democrat colleagues also care about. This is long overdue. I hope we can put politics aside, and in about an hour, in 45 minutes, do the right thing and protect women and girls in sports.

I yield the floor.

The PRESIDING OFFICER. The minority leader.

NOMINATION OF LINDA MCMAHON

Mr. SCHUMER. Mr. President, before my colleagues vote on the next vote, Linda McMahon's nomination for Secretary of Education, they should re-

member that a vote for Mrs. McMahon is a vote for draconian cuts to education and rising property taxes for middle-class and suburban American families. That is why I am so proud that every Democrat will vote no to stand up for our schools, for our kids, for our teachers, for public education, and to prevent property taxes from going up further.

Donald Trump is clear. He wants to eliminate the Department and push never-before-seen cuts to public schools. Mrs. McMahon will make that happen. Her whole background is anti-public schools.

When you slash Federal funding for education, it leads to higher taxes back home. So many of our school districts—they could be urban, suburban, or rural—depend on Federal funding, and when you cut that, it leads to higher property taxes to make up for the loss of money. Communities will also be forced to slash other programs, including helping disabled kids, for funding for the schools. This is not what the American people want. This is not what they bargained for.

The Senate should reject Mrs. McMahon because funding cuts for schools, students, parents, and teachers all for the sake of billionaire tax breaks—whose kids probably don't go to public schools—is an awful idea. I am proud every Democrat will vote no.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

VOTE ON MCMAHON NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the McMahon nomination?

The yeas and nays were previously ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO) and the Senator from Wyoming (Ms. LUMMIS).

Further, if present and voting: the Senator from Wyoming (Ms. LUMMIS) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Michigan (Ms. SLOTKIN) and the Senator from Vermont (Mr. WELCH) are necessarily absent.

The result was announced—yeas 51, nays 45, as follows:

[Rollcall Vote No. 99 Ex.]

YEAS—51

Banks	Crapo	Husted
Barrasso	Cruz	Hyde-Smith
Blackburn	Curtis	Johnson
Boozman	Daines	Justice
Britt	Ernst	Kennedy
Budd	Fischer	Lankford
Cassidy	Graham	Lee
Collins	Grassley	Marshall
Cornyn	Hagerty	McConnell
Cotton	Hawley	McCormick
Cramer	Hoeben	Moody

Moran	Risch	Sullivan
Moreno	Rounds	Thune
Mullin	Schmitt	Tillis
Murkowski	Scott (FL)	Tuberville
Paul	Scott (SC)	Wicker
Ricketts	Sheehy	Young

NAYS—45

Alsobrooks	Heinrich	Peters
Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Blunt Rochester	Kelly	Schatz
Booker	Kim	Schiff
Cantwell	King	Schumer
Coons	Klobuchar	Shaheen
Cortez Masto	Lujan	Smith
Duckworth	Markey	Van Hollen
Durbin	Merkley	Warner
Fetterman	Murphy	Warnock
Gallego	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden

NOT VOTING—4

Capito	Slotkin
Lummis	Welch

The nomination was confirmed.

The PRESIDING OFFICER (Mr. RICKETTS). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The Senator from Wyoming.

WAIVING QUORUM CALL

Mr. BARRASSO. Mr. President, I ask unanimous consent to waive the mandatory quorum call with respect to the motion to proceed to Calendar No. 2, S. 9.

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

LEGISLATIVE SESSION

PROTECTION OF WOMEN AND GIRLS IN SPORTS ACT OF 2025—Motion To Proceed—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to legislative session and resume consideration of the following motion, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 2, S. 9, to provide that for purposes of determining compliance with title IX of the Education Amendments of 1972 in athletics, sex shall be recognized based solely on a person's reproductive biology and genetics at birth.

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 legislative 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 motion to proceed to Calendar No. 2, S.9, a bill to provide that for purposes of determining compliance with title IX of the Education Amendments of 1972 in athletics, sex shall be recognized based solely on a person's reproductive biology and genetics at birth.

John Thune, Eric Schmitt, Marsha Blackburn, Joni Ernst, Ted Budd, Katie Britt, David McCormick, Bernie Moreno, Rick Scott of Florida, Tommy