

even though they have gotten better. It is time to discharge them from the hospital.

But that is not what is happening today. The grizzly bear remains listed. Why, after going from 136 to the 500 that they said would be a really good number? Now to double that—there are 1,000. Well, they are trapped in a bureaucracy, the bureaucracy of Washington, DC, and the courts, because the Endangered Species Act is being weaponized by environmental activists and extremists.

Even the Washington Post Editorial Board agrees. The editorial board argued this month—the Washington Post Editorial Board, which is no real friend of conservatives—it says:

It has become difficult to delist a species even after it has met its recovery goal.

Why? It says “due to threats of litigation.” That is what has happened. The activist judges and activist environmental extremists do everything they can to prevent things from coming off the list, even species that are fully recovered.

The Washington Post is right. The Endangered Species Act is broken. So to fix it, the editorial board calls for what they describe as a “cooling off period” for lawsuits while States like Wyoming monitor recovered species.

I actually introduced legislation to that effect in the past. Now the Washington Post says it is a good idea. I think Congress should listen.

So this week, Senator LUMMIS, CYNTHIA LUMMIS of Wyoming, Congressman HARRIET HAGEMAN, and I sent a letter to the U.S. Fish and Wildlife Service, with our colleagues from Montana and Idaho because Montana and Idaho border Yellowstone National Park. Parts of the park are in those States. The great preponderance of Yellowstone is in Wyoming, the borders and the areas, but the grizzly bears don't understand the barriers of the park. They go beyond the barriers. They are out in communities. They are impacting schools. They are impacting families. They are impacting livestock and wildlife.

We are calling on the U.S. Fish and Wildlife Service to reverse last-minute interference that now has happened from the Biden administration that punishes States like Wyoming and Idaho and Montana for successfully managing the full recovery of the grizzly bear. It is a Federal boondoggle. We need to return the management of the recovered grizzly bears to the States, where it belongs. This is not meant to be a partisan issue; it is a practical one.

Wyoming has spent more than \$50 million to help the grizzly bears recover. Our State has changed our laws in order to meet Federal standards to manage species after their removal from the list. Our State management agencies continue to be in the field every day. They are working to protect the grizzly bears and other wildlife. Wyoming's good work and sound management practices have proven to be

very successful. The numbers tell the story: 136 grizzly bears, to 500 and now to 1,000.

But when you keep the grizzly bears under Washington's control, it hurts people in communities all around Wyoming and in Montana and in Idaho. Homeowners face bears in their backyards, and these are killer bears. Self-defense against the bears risks prosecution. Farmers and ranchers are losing livestock. We should be able to protect our families and our property in Wyoming.

The Endangered Species Act is a very important law. It needs to be improved. It needs to be updated. It needs to be modernized. The Endangered Species Act was last amended in 1988—37 years ago. Even the U.S. Constitution was amended more recently than the Endangered Species Act.

Both Democrat and Republican administrations in the past have acted to delist the grizzly bear. Yet, in another case of midnight meddling, the Biden administration relisted the grizzly bear in January, right before they headed out the door—once again kissing up to the environmental extremists.

This is also the continued problem of lawfare from environmental groups who engage in venue shopping for partisan liberal judges, and they can always find one.

Wyoming shouldn't need Washington's permission to protect our land, to protect our people, to protect our wildlife, and to protect our way of life. So I am going to continue to work closely with Interior Secretary Doug Burgum to empower the States to manage the recovered grizzly bear because it is time for Wyoming, not Washington, to be in charge of managing this fully recovered species.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. CORTEZ MASTO. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SHEEHY). Without objection, it is so ordered.

INVEST TO PROTECT ACT OF 2025

Ms. CORTEZ MASTO. Mr. President, this week is National Police Week. During this week, we rightfully honor the brave men and women who put their lives on the line every single day to keep our families safe.

For me, supporting law enforcement is personal. My husband is a retired law enforcement officer. I worked for years as a prosecutor, side by side with law enforcement in the State of Nevada and, quite honestly, here in Washington, DC.

I have seen firsthand the sacrifices our officers and their families make to keep our communities across the country safe. I also know how thinly stretched our police departments are across the country. Police departments

are understaffed, and our officers are quite often overworked.

Compounding the staffing shortages, it is becoming more and more difficult for our police departments to recruit and retain qualified officers. Once those officers are recruited, police departments often struggle to find the resources to train them. When they suffer traumatic experiences in the line of duty, which also happens quite often, officers routinely don't get the mental health care they need. Police officers risk serious injury every day. Members of the communities working with them see the worst of the worst, and that is why the mental health and stress of the job takes its toll amongst even the strongest of our men and women in law enforcement.

I also know that small local police departments are the backbone of public safety for our rural, suburban, and our Tribal communities across the country. And they often face the greatest hurdles to accessing resources. There are Federal grant programs available for law enforcement agencies, many of which I personally fought to support, but they often require long and confusing applications to secure.

Let's face it, the thousands of police departments in small towns across the country that have fewer than 10 full-time officers simply do not have the capacity to keep their community safe and spend hours filling out burdensome grant paperwork.

Along with my colleague during National Police Week, Senator GRASSLEY from Iowa and I have been working on legislation to support our law enforcement officers. It is called the Invest to Protect Act.

This bipartisan legislation would provide \$250 million in funding through the community-oriented policing services or the COPS Grant Program that specifically is out to help law enforcement. This particular program would identify those law enforcement agencies with under 175 officers.

This funding could be used to support critical training, mental health recruitment, and retention measures. This training and grant funding would be essential in our rural, our Tribal, and our suburban communities.

That is why this legislation is so important and why it is bipartisan. This should never be a bipartisan issue. This particular piece of legislation that CHUCK GRASSLEY and I introduced—Senator GRASSLEY—passed 5 years ago by unanimous consent—same piece of legislation. I am hopeful, working with my colleagues on both sides of the aisle, that we will pass this again—the sooner the better so that we can move this out of the Congress, get it to the President's desk for signature, and show our support for all law enforcement across this Nation, particularly at a time during National Police Week, when we are here to remember the ultimate sacrifice so many law enforcement officers have made across this country to keep our communities safe.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

NOMINATION OF SEAN DONAHUE

Mr. WHITEHOUSE. Mr. President, I rise to oppose the nomination of Sean Donahue of Florida to serve as General Counsel of the Environmental Protection Agency.

Mr. Donahue may be the most unfit nominee ever for any Federal Agency general counsel. As I said in my remarks in committee, this guy would have trouble getting an entry-level legal position in any one of our offices, yet here we are.

The Constitution provides the Senate with advice and consent power. This power should carry some meaning. "Advice and consent" should not be empty words, a rubber stamp.

The Senate confirmation vote on Mr. Donahue that is moments away shows how little we care to live up to that constitutional responsibility. This is a truly preposterous nominee. The EPA general counsel is the chief legal advisor to EPA on environmental laws, including Clean Air Act, Clean Water Act, Safe Drinking Water Act, the Superfund Act, and others; on the Agency's development and implementation of regulations under its various statutes; and on litigation strategy with DOJ in court challenges to Agency actions. The general counsel oversees nearly 200 lawyers and 300 total staff.

Mr. Donahue has no experience qualifying him to do any of these things. He has never tried a case to verdict, never taken a deposition, never signed a pleading, never argued a motion. He has never personally litigated any case, let alone Federal cases implicating our Nation's most important environmental office.

What has he done? Mr. Donahue practiced law for a year and a half at a small firm in Buffalo that fired him for his version of being "overloaded with work." He was not even a member of the New York bar, however, and he then failed the DC bar on his first attempt. He claims, in New York, to have supervised six to eight individuals, which seems a stretch for someone not even a member of the bar. And there is no evidence—whatever minimal and unsuccessful legal experience Mr. Donahue had—that any work he may have done bore at all on the laws and regulations applicable to EPA.

The previous seven Senate-confirmed EPA general counsels were pretty impressive: Counsel Prieto, two decades in Federal service, including as general counsel at both the Department of Agriculture and DOJ's Energy and Natural Resources Division; Counsel Leopold, 14 years as an environmental lawyer and general counsel of the Florida Department of Environmental Protection; Counsel Garbow, 21 years practicing environmental law in the public and private sectors, including at the EPA and DOJ; Counsel Fulton, 22 years of leadership roles at EPA, following 8

years at DOJ's Environment and Natural Resources Division; Counsel Martella, court of appeals law clerk, 7 years with the Natural Resources Section of DOJ, Acting EPA general counsel; Counsel Klee, law firm for 9 years, chief counsel to the Senate Environment Public Works Committee for 5 years, and senior counselor to the Secretary of the Interior; Counsel Fabricant, 2 years in private practice and 5 years as private counsel, then chief counsel to then-New Jersey Governor Christie Todd Whitman. This guy? A year and a half, fired, then in-house counsel at a solar company, tried no cases ever.

So why him? Well, I suspect part of it is that he will be so grateful that he will do whatever he is told. We have actually seen this already, even before his confirmation. He testified that the Trump administration's current assault on congressionally authorized, appropriated, and obligated funding was legal, never mind multiple Federal district court orders to the contrary. I would love to see him take that argument into those courts that had already found those orders illegal.

Second, and perhaps more telling, who cares at EPA if their counsel has neither experience nor knowledge? They are going to be overseen by the fossil fuel industry anyway. He will be told what to do by fossil fuel polluter lawyers. So all he will have to do is put what they want on EPA letterhead and file it.

Oh, yeah, and the nepo thing. His significant other is the Deputy Director of Presidential Personnel, a role with purview over every political appointment, including his.

Mr. President, this is a pretty bleak low point in Senate nominations' history. This is the last chance to pull back from the brink of confirming, likely, the most flagrantly unqualified person ever for an Agency general counsel position.

I urge my colleagues to vote no.

I yield the floor.

VOTE ON DONAHUE NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Donahue nomination?

Mr. MORENO. 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 clerk will call the roll.

The legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Pennsylvania (Mr. MCCORMICK).

Mr. DURBIN. I announce that the Senator from Arizona (Mr. KELLY) is necessarily absent.

The result was announced—yeas 51, nays 46, as follows:

[Rollcall Vote No. 258 Ex.]

YEAS—51

Banks	Fischer	Moreno
Barrasso	Grassley	Mullin
Blackburn	Hagerty	Murkowski
Boozman	Hawley	Paul
Britt	Hoeven	Ricketts
Budd	Husted	Risch
Capito	Hyde-Smith	Rounds
Cassidy	Johnson	Schmitt
Collins	Justice	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Sheehy
Cramer	Lee	Sullivan
Crapo	Lummis	Thune
Cruz	Marshall	Tillis
Curtis	McConnell	Tuberville
Daines	Moody	Wicker
Ernst	Moran	Young

NAYS—46

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

NOT VOTING—3

Graham	Kelly	McCormick
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The nomination was confirmed.

The PRESIDING OFFICER (Mr. HAGERTY). 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.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Virginia.

MOTION TO DISCHARGE—S. RES. 195

Mr. KAINE. Mr. President, I move to discharge S. Res. 195 from the Committee on Foreign Relations, as provided under the previous order.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to discharge from the Committee on Foreign Relations, S. Res. 195, requesting information on El Salvador's human rights practices pursuant to section 502B(c) of the Foreign Assistance Act of 1961.

The PRESIDING OFFICER. All time until 1:45 is equally divided.

The Senator from Kansas.

FOOD FOR PEACE

Mr. MORAN. Mr. President, the call to feed the world has been answered by many Kansans, from farmers and ranchers to Senator Bob Dole and President Dwight D. Eisenhower. American farmers are linked to global markets and, by extension, to the well-being of people everywhere.

Two of our Nation's most successful programs for delivering American-grown food to the hungry around the