

Ms. Hermandorfer's list of accolades is something to behold. She graduated magna cum laude from Princeton University and was cocaptain of her basketball team. She was valedictorian at George Washington Law School and clerked for three of the current Supreme Court Justices as well as another Federal judge.

Currently, Ms. Hermandorfer is director of the strategic litigation unit in the Tennessee Attorney General's Office and has led some of the most important litigation in our country, including a recent victory before the Supreme Court.

At her hearing, we witnessed firsthand her impressive intellect, composure under pressure, professionalism, and collegial nature. Her performance at her hearing was no surprise to anyone who knows her. Her nomination has been praised by practitioners and academics from across the political spectrum. They understand that Ms. Hermandorfer is dedicated to following the rule of law, not to advancing her preferred policy outcomes.

Too often, we have seen judges play policymaker instead of being just simply a jurist. Ms. Hermandorfer understands the powerful role that judges have in our system of government, but even more importantly, she respects the limitation of that power.

During the Biden administration, a substantial majority of judicial nominees received bipartisan support. In fact, more than 80 percent of his nominees got bipartisan support. Republicans wouldn't have picked most of those judges, but many of them still got support from my side of the aisle.

Given her impeccable qualifications, I hope we can have the same bipartisan support today for Ms. Hermandorfer; otherwise, it just shows how politically partisan the other side has become.

The Senate's advice and consent role for judicial nominees is one of our most important jobs. Sometimes these decisions can be difficult, but in this case, it is pretty simple. I am confident Ms. Hermandorfer will be an excellent judge, and I urge my colleagues to support her nomination.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant executive clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

JUDICIAL NOMINATIONS

Mr. THUNE. Madam President, on Tuesday evening, I filed cloture on the nomination of Whitney Hermandorfer, of Tennessee, to be U.S. circuit judge for the Sixth Circuit, the first of President Trump's judicial nominees that we will consider this month.

I am excited that the White House has started sending over judicial nomi-

nations and eager to get to floor confirmation of Trump's nominees.

One of the great achievements of President Trump's first term was the confirmation of some 234 judges to the Federal bench. At the start of the first Trump administration, the President and Congress were faced with well over 100 openings in the judiciary, a daunting number but an incredible opportunity to shape the Federal bench.

The administration got right to work on identifying good judicial candidates, and Leader McConnell determined that we were going to fill those slots and others that would open up—and not just fill them, of course. The President and Leader McConnell and then-Senate Judiciary Committee Chairman Chuck Grassley were determined to fill them with the right kind of judges, judges who would faithfully interpret the law, not attempt to legislate from the bench.

Our interest was in putting judges on the bench who would look at the law, the Constitution, and the facts of the case and rule based on those criteria and nothing else. That might seem like an obvious goal for judicial nominations, but, unfortunately, that is not always the case. In fact, my colleagues on the other side of the aisle frequently seem to prefer another kind of judge, the kind of judge who will rule in line with Democrats' policy preferences, even when the law doesn't support them.

You only have to look at Democrats' attempts to politicize and delegitimize the Supreme Court for daring to occasionally rule against Democrats' preferred outcomes to realize that Democrats aren't interested in judges who will rule according to law; they are interested in judges who will rule according to the platform of the Democratic Party. That is a very dangerous thing.

Our system is based on a belief in the rule of law. In the American system, the law is supposed to be the final, impartial arbiter. Cases are to be decided based on what the law says, not on what a particular judge feels. Sure, it might seem nice when an activist judge goes outside the meaning of the law and rules for your preferred outcome. But what happens when that same judge reaches beyond the law to your detriment? What protection do you have if the law is no longer the highest authority?

Equal justice under the law can only be maintained as long as judges actually rule based on the law and not on their personal feelings or political opinions. An activist judiciary is a threat to justice, it is a threat to the separation of powers, and it is a threat to individual liberty.

And one of the things I am proudest of in the first Trump administration is the number of judges we put on the bench who understand this—who understand that our system depends on the rule of law, not the rule of unelected judges; who understand that their job is to interpret the law, not

usurp the job of the people's elected representatives by legislating from the bench.

We are not facing the number of judicial vacancies this Congress that we faced during President Trump's first term. There are currently only around 50 vacancies on the Federal bench. So our job now is to continue the good work that we began during the first Trump administration by filling those vacancies with more judges who understand the proper role of a judge, and that starts with confirming Ms. Hermandorfer.

I am grateful to Leader McConnell and Judiciary Chairman Chuck Grassley and to Lindsey Graham for their incredible efforts during President Trump's first term, and I am grateful to President Trump for the caliber of judges he has nominated and continues to nominate to the bench. I look forward to working with President Trump and Chairman Grassley to confirm more outstanding judges during this Congress.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant executive clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

NOMINATION OF WHITNEY D. HERMANDORFER

Mr. SCHUMER. Madam President, later today, Senate Republicans will hold the first procedural vote on a judicial nominee in Donald Trump's second term, Whitney Hermandorfer, to be a circuit judge on the Sixth Circuit.

Everyone knows that for Donald Trump's judges, one thing has always mattered most: loyalty to him. Not experience, not independence, not knowledge of the law, not even following the rule of law. When it comes to judges, Donald Trump cares only about one thing: fealty. He doesn't care about the law, precedent, or even what the Constitution says. He only wants them to do whatever he wants, no matter how baseless or irrational it is.

A quick glance at Ms. Hermandorfer's background shows she is unqualified to serve on the bench. She has less than 10 years of legal experience. She has never served as the sole or chief counsel on a single case that was tried to verdict. Indeed, she has made a career out of going after people's reproductive rights, their transgender rights, and anti-discrimination policies.

At the Tennessee Attorney General's Office, she has tried to strike down protections for employees who need reproductive care. She supported Donald Trump's firing of more than a dozen inspectors general, even filing an amicus brief on behalf of Tennessee.

The list of reasons why Ms. Hermandorfer would make a terrible

judge goes on and on and on. If Ms. Hermandorfer is the standard for Donald Trump's judges in his second term, then it is clear Republicans learned nothing from the first time around.

The American people don't want Donald Trump's foot soldiers wearing black robes. They want experienced, fair, and independent jurists committed to upholding the law. Ms. Hermandorfer falls way short of the mark, and I oppose her nomination.

Again, when the only criteria for choosing a judge is fealty to Donald Trump, the judiciary runs amok; the judiciary is weakened; and the executive, as they are trying to take away power from the first branch of government, the Congress, is also trying to take away power from the third branch of government, the judiciary, in an effort to make Donald Trump a virtual King. That is what he wants. That is terrible for America and terrible for what this country has always stood for.

SECRETARY OF DEFENSE

Madam President, on Hegseth, Secretary Hegseth continues to be an embarrassment and a liability, and Donald Trump should never have chosen him to lead the Pentagon.

For the second time this year, Secretary Hegseth haphazardly canceled the shipment of vital weapons that Ukraine needs in its war for survival against Vladimir Putin; and for the second time this year, his decision was eventually walked back by the President. The White House is apparently claiming that Secretary Hegseth acted without alerting a soul outside the Pentagon—not the U.S. Special Envoy to Ukraine, not the Secretary of State, and not even the President of the United States.

It is good that the President now says he will reinstate the shipment of weapons to Ukraine, but the administration's handling of this situation has been unacceptable. When asked by reporters who ordered the pause, the President said:

I don't know. Why don't you tell me.

This is amateur hour. Amateur hour. What the heck is going on at the Pentagon?

When Hegseth was up for the nomination, we all talked on our side of the aisle—Democrats talked—about how bad he would be, how unqualified he is. And this is just another example. Being a host of a talk radio show does not qualify you to be Secretary of Defense, as this incident shows.

The pause of weapons to Ukraine is, at best, a dangerous breakdown in communications and, at worst, a sign that Secretary Hegseth is more interested in helping Putin than helping Ukraine.

And what are U.S. allies supposed to make of this weapons pause? Sure, it is good that Donald Trump reversed himself, but our allies will wonder: Will this happen again?

You know who benefits most from Secretary Hegseth's and Donald Trump's incompetence? Vladimir

Putin. When Putin sees the disorganization and lack of strategy, he has no incentive to negotiate. So Donald Trump is actually undercutting himself—and Hegseth is undercutting Trump—in a desire to come to an agreement, a fair agreement, for Ukraine. When Putin sees America pause vital weapons shipments to Ukraine, even for a moment, it emboldens him.

Instead of saying "I don't know; why don't you tell me," here is what Donald Trump should do. He should unequivocally state the United States stands with Ukraine and against Putin. He should state that he fully supports additional air defense for Ukraine and a strong bipartisan sanctions package moving through the Senate, one that will give more leverage against Putin.

And Donald Trump should pick someone else to serve as Secretary of Defense. All of the charges, all of the arguments we made against him—that he was incompetent, inexperienced, and unreliable—seem to be coming true, unfortunately, for the defense of this country.

NATURAL DISASTERS

Madam President, on natural disasters, we continue to pray and mourn for everyone affected by the flooding in Texas. I still can't get the picture of those beautiful little girls—I believe it was 27 of them—all gone in the flood, and I think about their parents mourning for them, the beautiful, young lives cut short.

The tragedy is a reminder that we all have a responsibility as public servants to secure every resource possible to protect our communities from the threats of Mother Nature, which we all know are growing every year.

You don't have to be a scientist, you don't have to be someone who studies the weather every day, to know that it has changed rapidly; and it is obvious that global warming—more carbon in our atmosphere—is the main cause.

So we need all the help we can get against natural disasters. We need to protect ourselves from the threats of Mother Nature, which are growing rapidly with increasing frequency. This is especially true in my home State of New York, which has seen its own share of natural disasters, including a tornado earlier this week in Ontario County. In New York, we never used to have any tornadoes. Last year, they counted 40.

So I am alarmed that the Department of Homeland Security has canceled a \$3 million grant to the University at Albany Mesonet Program. The EMPOWER Program at the University at Albany is essential to help all New Yorkers stay safe—whether you live in New York City, in the suburbs, or Upstate. It is essential for all New Yorkers, who need to be protected against extreme weather like flooding and who need the warning—which obviously didn't occur in Texas—that bad, bad, dangerous weather is coming.

The Mesonet Program takes data from 127 different weather stations—

from Western New York to Staten Island—to provide better weather models using realtime observations. It helps local emergency managers make better informed decisions and quicker decisions to protect lives and property.

It is just utterly amazing that right after the Texas flood, the Department of Homeland Security is thinking of eliminating this program which should go across the whole country. It is one of the most advanced weather detection programs we have. It looks at the atmosphere in various layers, and it quickly combines information from various Mesonet stations and gets to the local authorities, more quickly and more accurately, the dangers that might occur from extreme weather.

So today, I am calling on Secretary Noem and the Department of Homeland Security to reinstate funding for the EMPOWER Program immediately. It makes no sense—no sense at all—to deprive States like New York of resources when we need to stay fully prepared against natural disaster and severe weather.

Make no mistake, these cuts to this program, which is based in Albany, will reverberate from one end of my State to the other. It will reverberate in places like Staten Island, where the College of Staten Island has a mesonet facility that is used by the EMPOWER Program. If this funding is canceled, it puts pressure at the State level to make it up, and that means fewer resources to alert local officials when dangerous and fast storms develop.

Canceling this funding is just completely wrong, and it is ill-informed. You know, it is typical of this administration. They just want to cut, cut, cut without even realizing the consequences. And in the wake of the horrible tragedy in Texas, to do this now seems all the more not only inappropriate but galling and wrongheaded. People in New York will be at greater risk to unexpected storms.

Canceling this funding is ill-informed. It is also dangerous. I urge Secretary Noem to reverse course immediately.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HUSTED). The clerk will call the roll.

The senior assistant executive clerk proceeded to call the roll.

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

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

The majority whip.

JUDICIAL NOMINATIONS

Mr. BARRASSO. Mr. President, last Friday, President Trump signed into law our historic legislation to deliver safety and prosperity for the American people. Every Democrat in this Chamber voted against it.

So, once again, Democrats do what they do: They turn to the courts to try to undo what Congress has done. This time, it is about the government funding of Planned Parenthood.