

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.

Now, we just heard the minority leader come to the floor and say: People want fair judges who will uphold the law. By Monday afternoon, Democrats had filed a lawsuit in Boston, MA, challenging the very law that was just signed on the Fourth of July.

Now, I have spoken about this Massachusetts district court in the past. Look, this is one of the Democrats' favorite venues when they want to obstruct the law—the law of the land. That is because 11 of the 13 judges were appointed by Democrat Presidents.

Well, by Monday evening, an unelected district court judge appointed by President Obama granted a temporary injunction—there they go again, another temporary injunction—blocking the law of the land. The judge did not issue a legal opinion or explain her decision. Instead, this one, lone judge, who has a history of radical rulings and partisan activism from the bench, halted the duly enacted law. As a result, millions of taxpayer dollars could be forced to be spent. This is money that taxpayers will never be able to recover.

One judge in one district trying to dictate and derail national policy and a national law—this is another example of radicals in robes undermining the elected branches of our government.

As Law Professor Elizabeth Foley recently wrote in the Wall Street Journal, the separation of powers is “under assault by rogue judges claiming national power.”

Over 40 nationwide injunctions have been filed against the Trump administration in the first 6 months. Thirty-five of them were issued by district courts in just four States and the District of Columbia—California, Massachusetts, Maryland, and Washington State. This is nearly triple the number of injunctions that President Biden faced his entire 4 years in office.

Look, Democrats continue to use the courts to try to reverse President Trump's popular policies. Democrats aren't seeking an unbiased review; they are using the courts as a political tool. It is not how the Constitution is supposed to work.

Even Supreme Court Justice Elena Kagan, an Obama appointee, has opposed nationwide injunctions. In 2022, Justice Kagan said:

It just can't be right that one district judge can stop a nationwide policy in its tracks and leave it stopped for the years it takes to go through the normal process.

I agree with Justice Kagan.

The Supreme Court has recently and repeatedly taken steps to rein in these radical judges. The Supreme Court has overturned 11 injunctions against the administration just since January. That includes Tuesday's 8-to-1 order in the case of *Trump v. American Federation of Government Employees*.

This abuse of the courts needs to end. That is why I support the Judicial Relief Clarification Act. This legislation was written by the chairman of the Judiciary Committee, CHUCK GRASSLEY of

Iowa. His legislation would limit lower courts from using sweeping injunctions to block national policies.

Additionally, the Senate must move quickly to confirm judges who apply the laws as written, not judges who try to legislate from the bench.

Later today, we are going to begin the process of confirming President Trump's first judicial nominee this term. It is for President Trump's nominee to serve on the Sixth Circuit Court of Appeals. Her name is Whitney Hermandorfer. She is smart. She is tough. She is ready to serve. She has the full backing of her home State Senators, Senator BLACKBURN and Senator HAGERTY of Tennessee. She also has the support of the chairman of the Judiciary Committee, Senator GRASSLEY.

Mr. President, the Constitution is clear: Congress controls Federal spending. The power of the purse belongs to Congress—doesn't belong to unelected district court judges with a gavel and a grudge.

The American people deserve better. Enough is enough. It is time to restore constitutional order. It is time to rein in rogue judges. It is time to confirm judges who respect the rule of law.

WAIVING QUORUM CALL

Mr. BARRASSO. Mr. President, I ask unanimous consent to waive the mandatory quorum calls with respect to the Gould and Hermandorfer nominations.

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

I yield the floor.

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. HAGERTY. 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 Senator from Tennessee.

NOMINATION OF WHITNEY D. HERMANDORFER

Mr. HAGERTY. Mr. President, I am here today to urge my colleagues to support the confirmation of Whitney Hermandorfer. Whitney Hermandorfer is President Trump's nominee to be a judge on the Sixth Circuit.

This is a defining moment for the second Trump administration because Whitney is the first judicial nominee to be brought forward to serve at the circuit court level. She is the first Trump nominee to come before the U.S. Senate, and she is a perfect candidate to be that first nominee.

She is going to set the benchmark for excellence for all future judicial nominees. Indeed, I don't think President Trump could have made a better choice.

Ms. Hermandorfer is eminently qualified. She graduated first in her law school class. Then she clerked on the district court for DC, the DC Circuit, and, not once but twice, at the Supreme Court of the United States.

Whitney served as lead strategist and advocate for our home State of Ten-

nessee, representing the Volunteer State in its most complex and important cases, and, unsurprisingly to everybody that knew her and knows her, she did an exceptional job.

Ms. Hermandorfer has the experience and the demeanor that our very best judges possess, along with a genuine humility, kindness, and a sense of optimism that I think everybody will appreciate.

Most important, Ms. Hermandorfer will faithfully discharge the solemn duties of a judge. She will interpret the Constitution according to its original meaning. She will administer justice without fear, without favor. She will rule without preference for the poor or the rich, the weak or the powerful. She will protect the precious rights recognized in the Constitution and safeguard the delicate separation of powers that our Founders established.

Whitney Hermandorfer is an outstanding nominee. Any delay in confirming her deprives our courts of the very best and the very brightest that our Nation can offer.

So I am here today to urge my colleagues to support her nomination on today's procedural vote, and I am going to encourage this body to quickly proceed to her confirmation.

CLOTURE MOTION

The PRESIDING OFFICER (Mr. SHEEHY). 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 nomination of Executive Calendar No. 64, Jonathan Gould, of Virginia, to be Comptroller of the Currency for a term of five years.

John Thune, John Barrasso, Cindy Hyde-Smith, John R. Curtis, Rick Scott of Florida, Bernie Moreno, Pete Ricketts, Eric Schmitt, Jon A. Husted, Roger Marshall, Jim Justice, Tommy Tuberville, Bill Hagerty, Joni Ernst, James E. Risch, Marsha Blackburn, Tim Sheehy.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Jonathan Gould, of Virginia, to be Comptroller of the Currency for a term of five years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

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 North Carolina (Mr. TILLIS).

Further, if present and voting: the Senator from North Carolina (Mr. TILLIS) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from Connecticut (Mr.