

The senior assistant legislative clerk called the roll.

Mr. BARRASSO. The following Senator is necessarily absent: the Senator from Texas (Mr. CRUZ).

The yeas and nays resulted—yeas 54, nays 45, as follows:

[Rollcall Vote No. 558 Leg.]

YEAS—54

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

NAYS—45

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

NOT VOTING—1

Crux

(Mr. SCOTT of Florida assumed the Chair.)

The PRESIDING OFFICER (Mr. HAGERTY). On this vote, the yeas are 54, the nays are 45.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

The motion was rejected.

The PRESIDING OFFICER. The majority leader.

MOTION TO RECONSIDER

Mr. THUNE. Mr. President, I have a motion to reconsider.

The PRESIDING OFFICER. The motion is entered.

The minority leader.

MOTION TO RECONSIDER

Mr. SCHUMER. Mr. President, I enter a motion to reconsider the failed cloture vote on the motion to proceed to Calendar No. 167, S. 2882.

The PRESIDING OFFICER. The motion is entered.

The majority leader.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE BUREAU OF LAND MANAGEMENT RELATING TO “CENTRAL YUKON RECORD OF DECISION AND APPROVED RESOURCE MANAGEMENT PLAN”—Motion to Proceed

Mr. SULLIVAN. Mr. President, I move to proceed to H.J. Res. 106.

VOTE ON MOTION

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. SULLIVAN. 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 bill clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Missouri (Mr. HAWLEY), and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 50, nays 47, as follows:

[Rollcall Vote No. 559 Leg.]

YEAS—50

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

NAYS—47

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

NOT VOTING—3

Crux

Hawley

Tillis

The motion was agreed to.

(Mr. MORENO assumed the Chair.)

(Mr. CASSIDY assumed the Chair.)

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE BUREAU OF LAND MANAGEMENT RELATING TO “CENTRAL YUKON RECORD OF DECISION AND APPROVED RESOURCE MANAGEMENT PLAN”

The PRESIDING OFFICER (Mr. MORENO).

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 106) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Land Management relating to “Central Yukon Record of Decision and Approved Resource Management Plan”.

The PRESIDING OFFICER. The Senator from Kansas.

GOVERNMENT FUNDING

Mr. MORAN. Mr. President, we are now 9 days into the government shutdown, and the disruption of the shutdown is being felt by many Americans. Particularly, what I want to talk about is the many Americans who are traveling or working in the aviation industry.

Government shutdowns are detrimental to some of our most basic functions of government, and our already-fragile air traffic control system is facing strain from this occurrence.

We are reminded how fragile our air system is by the facts of what occurred on January 29, when a flight from Kansas to Washington, DC, did not land safely at Washington Reagan, and it claimed the lives of 67 people.

Over the time that I have been in Congress, we have had a number of shutdowns and, in many instances, even Kansans told me: Shut her down. It doesn't matter. It doesn't matter to me.

I have never found the value in a government shutdown. That accident that I just mentioned forced Congress and our Nation to reckon with an issue that has plagued us for decades: Why have we not effectively modernized our airspace system?

Since that crash, steps have been taken to train more controllers and enhance the aviation system, including a \$12.5 billion investment in modernizing our airspace. But those efforts become much more difficult while Congress fails to keep the government operating and the shutdown is in place.

The Wall Street Journal, just this week, aptly summed up the current crisis stating: We “have a system under pressure that now just has another 100 pounds of weight on it.”

The failure to pass a continuing resolution is slowly crushing our aviation system. Our system is too fragile and the stakes are too high for us to continue operating the national aviation system in the manner we are doing so. We will reach a breaking point, and this could result in the closing of our airspace or portions of it.

The consequences of the shutdown on our aviation system aren't isolated to major cities and large airports as the viability of the Air Service Program is also now put at risk. This program incentivizes airlines to provide commercial flights to rural communities that normally wouldn't be able to attract business from major airlines on their own. In Kansas, there are five such airports that use this program to provide flights to their communities. These flights allow my constituents to fly to larger cities for business, to see the family, for doctors' appointments, and so many other things. Several of these airports have seen and continue to see record levels of passenger growth.

All of these factors are chipping away at the sustainability and safety of our Nation's aviation system. In a previous Congress, I introduced the Aviation Funding Stability Act, which allows the FAA to draw from the Airport and Airway Trust Fund to make certain that critical operations continue when there is an appropriations lapse. In March of this year, I reintroduced this bill as we faced this threat of a shutdown. This legislation is still important, but the fact is that the only real solution here is to pass the continuing resolution.

We set out earlier this year, in a bipartisan manner, to transform our aviation system to make it safer for everyone, but that work is now significantly hindered without having an open and functioning government. The Senate Appropriations subcommittee, of which I am a member—the Transportation, Housing and Urban Development Subcommittee—has done its job. I joined my colleagues in advancing the fiscal year 2026 funding bill for the Department of Transportation but including all the aviation matters at the FAA and otherwise. We did that in July.

It included more than \$22 billion for the FAA, the Federal Aviation Administration, with \$5 billion for the FAA's facilities and equipment account—critical funding for modernizing outdated equipment in our national airspace. This legislation also included funding to hire 2,500 air traffic controllers to close the gap in our workforce. For every day we remain in a shutdown, the air traffic controller shortage gets worse, and the strain on the aviation system intensifies. Our system has a breaking point, and I hope that this dysfunction that we are undergoing stops before we see dramatic and damaging consequences.

My point is that the continuing resolution is standing in the way of the appropriations process. We have a majority leader who is willing to bring appropriations bills to the floor. They deserve the Senate's consideration of those appropriations bills. The challenge we face is getting them done by the end of the fiscal year; therefore, we have put in place a continuing resolution until a date in later November.

This is a straightforward continuing resolution to give us the time to complete the appropriations process, including the money for the Transportation Department and the safety components that are included therein.

My second point is that a continuing resolution is necessary to avoid a shutdown. That point is that the shutdown is damaging to us in many ways to our Nation. It is broadly damaging to us because it allows those who are critics and those who are adversaries to realize that we are not as capable of functioning as we should be so that even our allies wonder what is going on in the United States.

The point I want to make is that there are consequences to the position we have allowed ourselves to get in, and it affects the safety of Americans every day. In having experienced the loss of life from the flight on January 29 from Wichita, KS, to Washington, DC, we should be doing everything we can to make certain that our air traffic system and the necessary components are in place to make sure that traveling American citizens and the citizens of the world who use our airline system have a safe and secure flight when they board a plane in the United States. The silliness of where we are today is impeding our ability to make that true.

I don't know when a shutdown makes sense, but the consequences of this one, in lieu of a short-term, clean CR for a few more weeks to complete our appropriations work, is a shutdown that makes absolutely no sense or is of any benefit to America.

I urge my Democratic colleagues to act now to pass this short-term continuing resolution so we can alleviate the pressures on our aviation system, return to doing our jobs in appropriating government funding, and provide much needed certainty and stability for our Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, we are just over a week into Republicans' shutdown and just over 3 weeks from open enrollment, when massive premium hikes become a stone-cold reality for our families. Yet Republican leaders refuse to sit down and talk with us about addressing both of those challenges.

President Trump and Russ Vought are just openly—gleefully—plotting how they can make this shutdown as painful as possible. House Republicans are not even here for the third week in a row, and Leader Thune has refused to do anything other than vote on the same, failed, partisan CR over and over and over. The clock is ticking. Republicans would rather sit on their hands than sit down at the table.

When we ask to talk about healthcare, the only word that the Republican leader seems to know is "later." Excuse me. But why couldn't we have addressed this challenge any

earlier? The Republican leader bent over backward to shovel new tax cuts at billionaires earlier this year. He did not tell CEOs to wait when it came to Republican tax breaks that expire at the end of this year. Why is he telling families now to wait when rates are being set now? when price announcements will be in the mail any day now? and when open enrollment is right around the corner? Why do Republicans want to wait until higher rates are locked in and families are priced out of healthcare? We have to tackle this before those rates are locked.

I have been warning for months about what this will mean for Washington State and for our country. Maybe the Republican leader needs to hear about what this means for his constituents.

In South Dakota, there are 50,000 people who rely on the healthcare tax credits to get their health coverage. On average, those South Dakota families will see their premiums more than triple if Republicans refuse to save the tax credits. These are hard-working families, including many farmers. And it is not just a challenge in South Dakota. Over a quarter of farmers in our country are covered through those exchanges. Do any of my colleagues think we should do nothing while farmers lose their healthcare? Do any of my colleagues want to stand by while families across the country see their premiums double?

You know, we have common ground here, but that doesn't do any good when Republicans refuse—outright refuse—to come to the table and negotiate. It doesn't do a lot of good when House Republicans are out on vacation for the third week in a row. You know, this clock has been ticking all year long, and the time to avoid those massive premiums is just about up. There is no waiting. There is no later. You can either start talking with us now to reopen the government and act to stop premium hikes before the open enrollment or you can talk to your constituents about why you decided to sit on your hands and do diddly-squat as their premiums went through the roof. The choice is yours.

The Democrats are here. We are still at the table. We have always been here. We have never left. We are ready today—today—to work out a serious deal to address the healthcare crisis and reopen the government.

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.

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

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

Ms. HIRONO. Mr. President, right now, Republicans control the White House, the House, and the Senate. In other words, Republicans control the

Federal Government. Since day one of the Trump regime, they have used that control to sow chaos and attack programs and services that the American people rely upon. Here are but two examples:

Earlier this year, Trump tried to shut down Social Security offices across the country, making it much harder for recipients of Social Security benefits to call Social Security, find out the information they needed, and to access their benefits. So Social Security reversed course on this I call it lamebrain idea to close some of the offices when they responded to the huge hue and cry from people who said that was not something that should be happening to Social Security recipients.

Another example: This regime slashed the Department of Education, firing more than half of the Education Department's staff, as part of an all-out assault on the Federal support for public education in our country. If President Trump had his way, he would just get rid of the Federal Department of Education altogether, but since only Congress can do that, they did things like firing half of the staff.

Now they are coming after programs millions of Americans rely on for their healthcare. Republicans created this healthcare crisis when they passed their "Big Ugly Bill," which guts Medicare, Medicaid, and SNAP, among other programs.

At the same time, Donald Trump zeroed out funding for research on diseases such as cancer. And when we are talking about research on children's cancer, to cut off funding for that kind of research is more than mean. They also cut out funding for research on diabetes, Alzheimer's, halting studies that could unlock major breakthroughs and literally save lives.

Unsurprisingly, the majority of Americans oppose what this regime is doing regarding healthcare. Republicans know their position is indefensible, which is why they are resorting to lies and excuses—lies that get more desperate by the day. They are lying because they don't want the American people to know the truth.

What is that truth? The truth is that Republicans are happy to make permanent massive tax cuts for billionaires in their "Big Ugly Bill" but refused—refused—to make permanent tax credits hard-working families rely on to get their healthcare.

Misplaced priorities are nothing new for Republicans. I was in the House when we passed the Affordable Care Act—the ACA—which expanded healthcare to more than 20 million Americans who up to that point did not even have healthcare. I was here in the Senate as Republicans tried over and over again to repeal the ACA and kick those millions of Americans off their healthcare.

It is rich that these same Republicans who crusaded for years to get rid of the ACA now stand before the American people talking about how much

they care about their healthcare. Why should the American people believe these lies as they are, even as we speak, getting notices of huge increases in their healthcare costs? The American people don't believe the Republican lies. They see right through them.

Meanwhile, Republicans, unwilling to do what the American people want, now claim that, well, extending these credits isn't urgent, so we can do this a few months from now. We don't have to do it now. There is no sense of urgency.

Another lie.

Time is of the essence. Open enrollment under the ACA starts in just a few weeks, and because of Republicans' refusal to act—I repeat—people across the country are getting notices saying: Here is what your ACA premiums are going to cost you.

The figures are astounding. Without an extension of these credits, average out-of-pocket premium costs for a family of four in Hawaii are expected to increase from \$10,000 to more than \$16,000 a year—an increase of more than \$6,000, or \$500 a month.

Maybe in Trump's world, \$500 isn't much, but to everybody else, that is a lot. Billionaires may not care that millions of people in our country are getting these notices about their increase in healthcare, but the rest of us do. For so many families, these huge increases could well break the bank.

Let's face it—this is not a red State or blue State issue. Hard-working Americans in every State across the country rely on the ACA for healthcare coverage, and they are all about to see their costs skyrocket.

In Speaker JOHNSON's home State of Louisiana, where nearly 300,000 people—his constituents—get their healthcare through the ACA, a family of four in Louisiana can expect to see their premiums increase by more than \$9,000 a year.

In South Dakota, Senate Leader THUNE's home State, out-of-pocket costs for a family of four will increase by more than \$13,000 a year. Think about that. Without action, Leader THUNE's constituents will be paying \$13,000 more than last year for the very same coverage and the same benefits.

Nationwide, it is estimated that healthcare premiums will more than double for hard-working families. Make no mistake, plenty of families won't be able to afford these significant hikes and will be forced to go without healthcare—all because Republicans refuse to act.

Working families are awakening to this healthcare crisis because—and I repeat—they are getting their increase notices even as we speak. And they know who is responsible. It is the Republicans, with their "Big Ugly Bill."

Trump returned to office promising to lower costs on day one—yet another lie. It is not happening. More than 250 days later, Americans are facing the fallout from this regime's reckless economic policies, including the disas-

trous tariffs that are decimating small businesses.

So instead of actually doing anything to lower costs for our hard-working families, the Republicans have shut down the government because they really don't care that families have to pay so much more for healthcare. Many of them—millions of them—are going to drop healthcare because they will not be able to afford these increases.

Under the Trump regime, Americans are poorer because costs are not going down, and they are about to get sicker when they no longer can afford the healthcare that was provided through the ACA tax credits.

Democrats, on the other hand, know that the health and welfare and well-being of the American people are worth fighting for and that keeping the government running shouldn't come at the cost of Americans' healthcare.

We talk about what I would call a completely stupid choice—not even a choice. We should keep the government running, but if the Republicans are so intent on giving permanent tax breaks to the billionaires, they should give permanent tax credits to the millions of Americans who need and deserve this healthcare.

Frankly, Republicans can end the government shutdown today if they agree to restore healthcare to the American people. Until then, Democrats are going to keep fighting to protect Americans' healthcare, reopen the government, and hold this regime accountable for the harm they are inflicting on this country every single day.

I yield the floor.

The PRESIDING OFFICER (Mr. BUDD). The Senator from Illinois.

TRUMP ADMINISTRATION

Ms. DUCKWORTH. Mr. President, one of the proudest moments of my life was the first time I ever laced up my boots, put on my uniform, and raised my right hand to swear my oath to the Constitution as a member of the Illinois Army National Guard, and I cherished every day that I got to wake up and call myself a soldier.

And it is because I love our military so deeply that I refuse to let a five-time, draft-dodging coward abuse it for his own personal gain. At Quantico last week, Trump told our top military leaders that he wants American servicemembers to "train" against the same citizens they swear an oath to protect.

Last month, he essentially declared war on Chicago, one of the largest cities in the country that he leads, with a meme from a Vietnam war movie about the loss of all humanity when military action is unchecked by ethics or the laws of war. And this week, he made good on his threats, forcing hundreds of National Guardsmen into our city, against the will of the people of Illinois or its legally elected representatives.

For months, Trump has fabricated claims of chaos and crime on American streets to justify false claims that

there is a need to deploy troops into our cities against local officials' wishes—first to L.A., then DC. And he isn't stopping there. He is also attempting to deploy troops to Portland, though a Federal judge he appointed blocked his efforts there twice because, in his own hand-picked appointee's words, Trump's claims about why they are needed were "untethered to facts." Another way to put that is that he is lying.

In the last few weeks in Chicago, we have seen Trump's agents detain innocent Americans, deny citizens their right to legal representation, point weapons at civilians, zip-tie children, arrest elected officials, ransack apartment buildings, injure journalists, and shoot a priest in the head with pepper balls for the so-called crime of peacefully praying for nonviolence. They have even shot two people, leaving one—a father of two young children—dead, making dubious and unsubstantiated claims in their attempt to justify their use of lethal force.

It is obvious what Trump is doing. He is targeting and punishing the cities who dare to push back against his abuse of power. And while he is currently targeting blue cities with his lies, if these deployments are not stopped, there will be nothing to stop him—or any future President—from doing this to anyone, anywhere, for any made-up reason that is also untethered to reality.

So let's be clear. Ordering our troops to intimidate Americans in their own communities doesn't make our Nation safer. Policing Americans in their own communities is not the National Guard's job. They can't make arrests, and they are not adequately trained to carry out police duties in urban environments.

These deployments are yet another Trump move straight out of the Authoritarian 101 textbook. They further jeopardize civil rights while distracting our troops from executing their core mission of keeping Americans safe from the real adversaries who wish us harm.

We know that Trump's actions are not about law and order—because if he cared about law and order, he wouldn't gleefully refuse to coordinate with State and local officials. He wouldn't have literally defunded our police by freezing and slashing Federal dollars that help hire, train, and equip law enforcement. He wouldn't be diverting Federal resources and agents away from operations that investigate drug cartels and drug traffickers, from missions that identify and disrupt foreign terrorist plots, and from actions that protect our families from cyber attacks to do it. But he is.

And instead of supporting and expanding proven violent crime prevention strategies, he is wasting millions of taxpayer dollars to terrorize law-abiding citizens who are exercising their First Amendment rights.

Trump is taking our troops away from their missions just to do his per-

sonal bidding, forcing them to confront peacefully protesting Americans, instead of using their time to train to protect our Nation in case of future conflicts with America's adversaries around the world.

Our troops didn't sign up for this. They signed up to defend Americans' rights to free speech, not to intimidate Americans from exercising that right. Our troops are willing to die to defend this country, not to defend one man's ego.

Los Angeles did not ask for this; Washington, DC, did not ask for this; Portland did not ask for this; Chicago did not ask for this; our servicemembers did not ask for this.

I am relieved to announce that just moments ago I secured a Senate hearing in the coming weeks with witnesses from the Trump administration where I will ask tough questions and demand answers on these unjustifiable actions because I refuse to stay silent as our military and our servicemembers' sacrifices are disrespected and abused by a man who was never brave enough to serve himself.

I cannot let him keep giving our troops the middle finger while eroding the hard-won trust and confidence they have earned from the American public over generations of military service. These days, I may no longer be wearing my Army uniform, but it still hangs proudly in my Senate office. And now, I spend a lot of my time seated on the Senate floor rather than beneath my Black Hawk's main rotors, but my core mission is still the same as when I was in the National Guard: to keep America as strong and as safe as she should be.

If only Donald Trump cared about doing the same.

I yield the floor and recognize my colleague, the senior Senator from the great State of Illinois.

THE PRESIDING OFFICER. The Democratic whip.

MR. DURBIN. Mr. President, I want to thank my colleague from Illinois Senator DUCKWORTH for inviting me to join her on the floor to discuss what is happening in our State.

Before I do, I want to make sure it is well known for those who follow this debate to explain how she became my Senate colleague.

There was a day some 20 years ago when I was given two tickets to the Presidential State of the Union Address, and my staff had asked me if there was any particular guest I would like to invite. I said: No, why don't you call out to Walter Reed military hospital and see if there is an Illinois veteran who can come and join us. They told me, shortly after that, that they had found someone who was coming.

I didn't know that person. Her name was TAMMY DUCKWORTH. She was in full dress uniform when she came into my office, merely a few weeks since her helicopter had been shot down over in Iraq, and she had gone through some terrible surgeries and was recovering.

But she came into my office with a large smile on her face and her husband Brian pushing her wheelchair.

That was how we met. She was my guest at the State of the Union Address.

We became friends. I became an ombudsman for Walter Reed. She had soldiers calling me from all over the United States asking for help. I didn't regret it one bit. I was honored to do it.

So I worked up the courage to ask her if she would consider running for Congress, and she said to me: I would have to talk it over with Brian.

I thought, I have got a live one here. She sounds like she is interested, which she was.

Her first try for office was not successful for Congress, but she later became head of the Veterans' Administration for the State of Illinois and then ran successfully to serve with me as a Member of the House. When there was a vacancy available for the U.S. Senate seat, I not only encouraged her but endorsed her and did everything I could to help. I am honored to have her as my colleague.

She is an extraordinary person, has more bravery than any 10 people I know, and she has shown her devotion for this country by serving in the Guard for over 20 years—23 years?—23 years in the Guard.

So when it comes to issues involving the Guard, there is no better expert that has ever served in the U.S. Senate. Illinois is lucky; America is lucky to have TAMMY DUCKWORTH, and I am lucky to be able to join her today.

We are proud of our heritage in the State of Illinois. We call it the "Land of Lincoln," and I recall an incident that is worth repeating.

In 1858, Abraham Lincoln gave a speech in Edwardsville, IL. That is downstate near St. Louis. In this speech, he asked:

What constitutes the bulwark of our liberty and independence?

Lincoln emphasized that it was not America's army or the power of our weapons. The founder of the Republican Party Abraham Lincoln said:

[It is] the preservation of the spirit which prizes liberty as the heritage of all men, in all lands, everywhere.

This is what is responsible for the maintenance of our freedoms. How the Republican Party has changed from those early days.

Yesterday, President Trump deployed 500 National Guard troops to our State of Illinois. The President ignored the pleas from elected officials across Illinois that these deployments were unnecessary and unwanted and a dangerous escalation of a situation the President himself has created.

Leaders of the chamber of commerce and businesses in our State held a press conference and begged the President: Don't send in the troops. You are sitting here peddling a message which is not true. It is not unsafe in Illinois. People there are proud to be part of that State. We know we are not perfect. Like every other place, we can be

better and safer. But the use of Guard troops from Illinois or even from Texas is totally unnecessary and creates unwanted pressure.

That message was clear from the business leaders in my State, but President Donald Trump didn't care what they had to say. He wanted to deploy our Nation's military to Illinois to spread fear and sow chaos. And in both those efforts, sad to say, he succeeded.

The President has no legal basis for deploying Federal troops to Illinois against the wishes of the Illinois Governor. There is no rebellion or insurrection happening in our State. Americans have the right, under the First Amendment, to protest this administration's cruel and misguided immigration policy. There is no room for violence whatsoever in this exchange of information and points of view, but it is part of our constitutional guarantee.

There is no argument, as some of my colleagues claimed during our Judiciary Committee markup meeting this morning, that this is anything like the civil rights-era abuses of the National Guard by multiple Presidents to enforce desegregation laws when segregationist Governors in the South were defying Federal law and court orders.

President Dwight David Eisenhower, a general himself, federalized the Arkansas National Guard after the Governor outright refused to comply with the law and was preventing the Little Rock Nine from entering the previously all-White Central High School, following the Supreme Court's ruling in *Brown v. Board of Education*.

There is no argument and no evidence whatsoever that the Governor of Illinois is disobeying any Federal law or court order. There is no historical analogy between the situation in the 1960s and the situation in Illinois today.

In fact, the current administration has sued Illinois to attempt to commandeer State law and force Illinois to implement this administration's immigration policies. Courts have repeatedly found that Illinois does not have a responsibility to implement Federal immigration laws.

There is no statute or provision in the Constitution that allows the President to use the National Guard as props in his political theater or to suppress constitutionally protected dissent against his inhumane immigration crackdown.

In addition, the Trump administration has recklessly surged hundreds of Federal law enforcement officers who are employing increasingly aggressive tactics against immigrants and their families and those suspected of being immigrants. They have said quite boldly: We are looking for people who look like this, subject to jurisdiction.

They have pulled FBI, DEA, and ATF agents from their assignments to carry out the President's immigration agenda, taking them away from the mission to combat crimes like terrorism, gun

violence, human trafficking, and drug smuggling.

How does this make America safer?

We all know the litany that Donald Trump has repeated over and over again at political rallies and meetings since he was reelected as President. He is trying to stop murderers, rapists, terrorists, criminally insane people, and sexual predators from coming into this country.

Look what is happening with this mass deportation effort that he has authored. Over 70 percent of those who have been detained by ICE so far—over 70 percent—have no criminal record whatsoever, none whatsoever.

This is not about stopping crime. This is about going after immigrants. If the Trump administration truly wanted to help my city of Chicago and our State of Illinois, it wouldn't defy Illinois-elected leaders; it would work with us. It would restore the millions of dollars that it suspended in crime prevention and public safety grants.

How can this President say with a straight face that he wants to reduce crime in our State and cut back the very programs law enforcement counts on to train and be prepared and effective in the field when reducing crime? He has chosen to put boots and guns on the street and call in the military from Texas.

At the end of the day, these deployments are about President Trump and Stephen Miller's personal agenda to send troops primarily into blue cities and to deport immigrants without any criminal history at the expense of national security and public safety.

Nearly a quarter of all FBI agents—a quarter of them, one out of four—are now focused on immigration. How can this possibly make America safer? The tactics that are being used by ICE and others in support of the President's mission are outrageous.

On Tuesday, September 30, there was a raid in the middle of the night on an apartment house in South Shore in the city of Chicago. Three hundred ICE agents flew in Black Hawk helicopters and rappelled down to the roof of an apartment building. It was a scene made for the movies. That is exactly what it was.

They ransacked apartments that people were living in, crashed down their doors and pulled them out of bed and lined them up on the street. They bound the children with ties—plastic ties or handcuffs—and they decided to make it all a movie production for television and video.

It was supposedly to stop drug activities by gangs. No evidence whatsoever has been produced of that. It was a horrible scene. I am sure these children will never forget as long as they live being pulled out of bed in the middle of the night and watching their parents being interrogated, arrested, and detained.

That is the idea of this administration in enforcing the law. It just goes too far. Steve Miller, the President's

domestic adviser, is the architect of this travesty. For any of you who may not think these deployments may not affect you, it is just Illinois' problem, you are wrong.

The very act undermines our Constitution and belief in liberty above all. As President Lincoln warned us in that same speech, "Destroy this spirit [of liberty] and you have planted the seeds of despotism at your own doors."

While the Guard is in Illinois now, it could be in your State next; it could be your family taken from their homes and their beds in the middle of the night in an indiscriminate raid.

Does it sound preposterous? The 2,200 South Shore apartment building people can tell you it is not preposterous. It is actually what happened—have tear gas and guns pointed at you for speaking out.

Congress must act and speak out against this increasingly authoritarian administration. We are a coequal branch of government, and it is time we act like one. I implore my Republican colleagues—and I know they are loyal to President Trump—I implore them to join Senator DUCKWORTH and me and describe these deployments for what they are; they are an illegal, immoral power grab by a President determined to consolidate his power and stifle any dissents.

If we here in this Senate Chamber, fortunate enough to represent the people in this country, will not stand up, then who will?

Once again, I want to thank my colleague Senator DUCKWORTH for calling us down to the Senate floor to raise this issue. She and I are hoping, if the Senate schedule allows, we will be able to get back to Illinois this weekend and then have an opportunity to learn even more about this grave situation.

In the meantime, I ask people involved to show courage, to understand that the odds are against them, and the people who are trying to harass them are well-armed and can be very serious with what they do. But America's values will prevail over this President and this situation, and my State of Illinois will return to a situation where it is not being invaded by the Guard of other States.

Incidentally, I will close by saying this: I have no animus against members of the Guard, either in Illinois or in Texas. They are good men and women who put their hands in the air and swore an oath to our Constitution to serve our country. They are in a situation where they are being used, unfortunately, for a bad situation with this President, but we need them, and I continue to look forward to working with them in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

TRUMP ADMINISTRATION

Mr. BLUMENTHAL. Mr. President, last year, I was privileged to lead a bipartisan delegation of 20 of our colleagues to Normandy, celebrating the

80th anniversary of the historic landing there, where American boys—and they were boys, 17 and 18 years old—stormed the beaches of France to liberate Europe. It was one of the most moving experiences of my lifetime.

I believe the Presiding Officer was there. We were part of a bipartisan group, evenly divided—10 Republicans and 10 Democrats. What we heard and saw I think will stay with us for a lifetime, particularly from the veterans who remembered that day. They are in their hundred-year-old ages of their lives.

After speaking to them, we heard speeches from the President of the United States, of France, and leaders of Europe. But what stuck with me was what I heard from the veterans.

One of them said to me, “This was our moment.”

“This was our moment.”

We walked through the American cemetery, those silent rows of white grave markers, down to the beach, Omaha Beach, where I thought of those 18- and 20-year-old boys jumping out of landing craft with 80 pounds on their backs, into 8 feet of water, under a hail of machine gun bullets and mortar fire, onto a beach three football fields long—three football fields long—without any cover. There were no trees, there were no dunes, and the hail of gunfire and mortars kept coming.

I think 90 percent died in the first wave, maybe 80 percent in the second. They kept going—a third and a fourth wave, storming the cliffs, taking back Europe, and saving democracy.

I kept thinking, as I walked on that bleak beach, windswept, waves crashing, “That was our moment.” I kept thinking about the veteran who said that to me. It was an American moment, and our reason for going to Normandy was to honor those young men who saved democracy.

This is our moment. This is our moment to save democracy. I know it sounds like an exaggeration to say that our democracy is now under attack, but it is from adversaries and enemies abroad—China, Russia, Iran, North Korea. But we also have to make sure that we safeguard our liberties at home against attack and efforts to undermine them, even if some may feel they are well-meaning.

One of them and only one of them is the illegal and unconstitutional use of our military and the deployment of National Guard into American cities to do what local law enforcement—our police and others, State and local law enforcement—are supposed to do under our scheme of government, where our military protects us from adversaries abroad, and the FBI, the DEA, and our State and local police make sure we are safe at home.

For 250 years, the military has defended our great Republic without fail. It is the bulwark of freedom for this Nation. It is the hope for millions and millions around the world who yearn for freedom. It is nonpolitical. It re-

mains one of the few institutions the American people still revere. Americans have faith in the military because it is nonpolitical.

So what the President is risking by using our military, whether it is the National Guard or Active-Duty marines or another branch of service, is not only a threat to the individual liberties of people in those cities but also the credibility and reverence that the American people have for this venerable institution that has protected us from aggression and threats abroad.

By pursuing political goals with our young men and women in uniform, he risks recruitment for the military; he risks the respect that our constituents have that enables us to work for full funding and support for our military, embodied by the National Defense Authorization Act that we will consider hopefully just within a few hours.

When the Armed Services Committee considers the National Defense Authorization Act, the votes at the end are almost always near unanimous. In fact, in my 15 years on that committee, they have been nearly unanimous every year. And we vote on it in a timely way to make sure that we show support for this necessary institution.

The risk to our military as well as to our individual rights and liberties is what prompted me to introduce the Insurrection Act of 2024.

We all know that the Insurrection Act has a long history. It was written over 200 years ago, in the aftermath of the Whiskey Rebellion and the Battle of Wabash—in those instances, probably not at the tip of the tongue of most of us.

The forces of law enforcement were limited and poorly equipped. They were barely existent. Local police. Virtually no State had its own police. So there was a need for potential use of the military in those instances. But even then, use of military was limited under the original Insurrection Act because Americans feared a permanent standing police doing local law enforcement.

I drafted this legislation in an effort to amend that outdated law, which gives the President enormous, unchecked powers to deploy the military to quell domestic rebellion.

Now, the lack of defining terms, the absence of real accountability, and the vagueness of that statute are the reasons we now need reform.

Limits were imposed, but the limits are filled with loopholes, practical gaps that fail to check the President's power. The problems the act was designed to address are no longer commensurate with the dangers it is now creating.

I reintroduced this legislation for this Congress, and I thank my colleagues for supporting this effort.

The President's actions over the last 8 months demonstrate the need for this urgent reform and increased congressional oversight.

Earlier this week, the President suggested that he would invoke the Insur-

rection Act to deploy more guardsmen in major cities if the courts or Governors delayed deployment. So I stand here with my colleagues from Oregon, Illinois, and California, whose constituents are living through this threat. It is now a reality as much as a threat.

I warned this body 2 years ago of this reality—unchecked power deployed unconsciously.

I should say that this kind of use of the military poses a tremendous threat to all of our civil liberties even if we are not from California or Oregon or Illinois. It could happen in Connecticut. And the lack of a factual basis for it is well documented in the district court decision issued by a Federal judge days ago citing the absence of any real need on the ground in real time, with evidence before her court—statements from ICE officers that there was no need.

Her findings, which are airtight and persuasive, are the reason why I am here to say the National Guard should not be deployed there. Reliance should be placed on local and State police. There should be challenges to any deployment in Illinois or California to test whether it is actually needed to preserve order.

The National Guard has always been a symbol of hope for communities. We have seen it in Connecticut when disaster struck. When there are weather catastrophes, the National Guard is in our neighborhoods to help remove downed trees or provide access to homes and to preserve order when local police can't do it. But now, they are being used to turn the military into the President's personal army.

The Founders warned of threats to liberty that a standing army would create. It was one of their biggest fears because they had lived through a time when the British had a standing army in their neighborhoods—in fact, went into their homes and, without permission, used their homes and shelters and food.

Through the years, through great force of effort at times, the military has remained politically independent. It is under the Commander in Chief, but it is nonpolitical. My bill would protect not only American citizens from Executive overreach but also the military from becoming pawns in any kind of political game.

This legislation would create checks and balances, limit the scope of these deployments, authorize extensions via joint resolution, and create a judicial review process. These commonsense solutions would amend an outdated law that no longer fully serves the interests of this Nation.

For the sake of our military and the constituents we represent, I hope my colleagues will support this effort because this use of the military is part of a larger effort to shift the focus of our national defense to policing the homeland rather than protecting us from threats abroad.

We need to provide strong, vibrant, vigorous law enforcement and support

local and State or Federal policing funds, and that is why I have been so upset and angry that this administration has cut funding—hundreds of millions of dollars that aid and train local police, that increase their numbers and provide aid for victims. The programs have been decimated in the Departments of Justice and Homeland Security.

We need to put our money where our mouth is. This administration needs to support our State and local police not just in rhetoric but in reality. The reality is that there must be reform in the Insurrection Act, not just to protect our citizens and our liberties at this moment—this is our moment—but also the well-being and strength of the American military.

I yield the floor.

I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

Mr. WYDEN. Mr. President, I join my colleagues, today, in standing up for Americans' basic constitutional rights.

Donald Trump has again deployed agents and troops to my hometown of Portland, OR, and to other American cities. He announced this authoritarian occupation with orders for Federal agents to use "full force."

Since then, he has deployed Federal law enforcement from the Department of Homeland Security, and he has activated 200 Oregon National Guard members, over the objection of the Governor of Oregon, local leaders in Portland, and local law enforcement. He has tried to deploy an additional 300 troops from California—from the National Guard there—and 400 troops from the Texas National Guard, all to my hometown.

Colleagues, during this government shutdown, our Guard members will not even be paid for this unnecessary, unwanted deployment. Activating the Oregon National Guard alone is going to cost \$10 million and will pull Guard members away from much more important work.

If Donald Trump truly wanted to help Oregon or Illinois or California, the money would be better spent cracking down on fentanyl traffickers, ending his tariffs that are gutting small businesses, and holding down health costs.

Instead, Donald Trump says U.S. cities like Portland ought to be used as "training grounds" for the military.

I would say to the Senate: Let that one sink in. The President of the United States thinks it is acceptable to use American cities as training grounds for the military. In my view, that is unconscionable.

My hometown is a vibrant and peaceful city. It doesn't require any deploy-

ment of Federal troops or additional Federal agents to keep our community safe. In fact, the Federal judge, who was appointed by Donald Trump himself, has ruled repeatedly against a troop deployment. She said there was "no showing that military help is necessary to protect law enforcement or the one federal building for ICE."

Portland's police department has said there is no need for Federal agents in our city, as well, and that the administration's deployment of ICE agents is making it actually harder for them to do their jobs and keep our cities safe.

The notion that my hometown is somehow a war zone in need of saving is a fantasy made up by Donald Trump and far-right trolls.

Oregonians have taken to social media to show that my community is really peaceful. You see it in our gardens, in our vegetable stands. You see it in musicians playing on the sidewalks.

My constituents have long engaged in peaceful First Amendment activity. The Governor and mayor of Portland have the appropriate resources to maintain peace and order in our communities.

My view is this Trump unilateral action is an abuse of Executive authority. He is clearly hoping that he can incite violence and undermine the constitutional balance of power between the Federal Government and our States.

In addition to the judicial ruling in Oregon last month, a Federal judge in California ruled that the Trump administration actually violated black letter law through the deployment of troops to Los Angeles. His Los Angeles deployment violated the Posse Comitatus Act, which explicitly limits the power of the Federal Government to use the military for domestic purposes.

Unfortunately, none of this is new to my hometown. Five years ago, Portland experienced the consequences of an unnecessary and outrageous Federal deployment under Donald Trump's first Presidency.

In the summer of 2020, the White House unleashed Federal agents on Portland. It was like an occupying army, complete with military-grade equipment and violent tactics that were totally unacceptable on American soil. Federal agents shot at Portland residents, tear-gassed families, drove in unmarked vehicles, and grabbed people off the street without an explanation.

Federal agents didn't identify themselves. They didn't wear uniforms. They beat up on those who asked them basic questions about their actions.

There is no question in my mind that another deployment by this administration is going to result in similar abuses, similar violations of Americans' constitutional rights. Inciting violence is clearly Donald Trump's intent.

And I want to make it clear: As Oregon's senior Senator, I am going to

continue doing everything to work with my colleagues to fight back against Trump's Federal occupation and show America, from coast to coast, the beauty and the strength of my hometown.

I yield the floor, and I note my partner in the Oregon congressional delegation. He and I have teamed up every step of the way and will continue to do so.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, my colleague from Oregon has laid out the situation very well. An authoritarian President emboldened by a rubberstamp Congress, emboldened by a deferential Supreme Court, is sending military troops against American citizens who are peacefully protesting in city after city.

This is un-American. It is a fundamental violation of the purpose of our military, which is to defend us from foreign powers, not to be a tool in a President's hand to attack people who disagree with his point of view. That happens in countries that don't have a President but have a King—that have a dictator. That is not our tradition here. Our whole entire Constitution is about government by and for the people, not by and for a man at the top of the executive branch, using the military against his own citizens.

By law, federalizing the National Guard is quite limited. It can only be done, unless it is done in partnership with a Governor, if there is an invasion or if there is a rebellion. At the time these laws were written, it was well-understood exactly what those are—an invasion, just what you picture: a military force on our border about to cross that border and attack the United States of America, or they have already crossed the border. That is an invasion. Or a rebellion—a rebellion: a large group, well organized, well weaponized, that is trying to overturn the Government of the United States of America.

At the very start of our Republic, there was a rebellion called the Shays' Rebellion. A whole group in the northeastern part of our country were very upset about the challenges they were facing as farmers. They got organized. They had weapons, and they were shutting down the courts that were doing foreclosures on their farms. And they were seeking access to a Federal armory.

Shays' Rebellion—a large group, well organized, weaponized, trying to overturn the government.

The last time we saw a rebellion in the United States of America was when President Trump, in his first term, organized a mob to attack this Capitol to prevent the votes from being counted in the electoral college. That would meet the test of a rebellion.

But peaceful protesters holding signs of concern about the policies of this President or the actions of one of his

Agencies—that is freedom of speech; that is freedom of assembly. That goes to the core of who we are as Americans.

Obviously, there is nothing approaching an invasion or a rebellion in the city of Portland. Senator WYDEN and I were outside of ICE a couple weekends ago. I saw three women in a group holding a couple of signs. Right now there is a group called Paws for Peace. They are getting together with puppy dogs and dogs. And the “paws” is P-A-W-S. Creative, Portland-style protesting to say they are not happy with the administration.

I don't think a bunch of folks holding their puppy dogs constitute a well-organized, well-armed group trying to overthrow the government.

Then there is another group that is called Pastry and Pajamas, and they are out there in the morning handing out pastries to people. They are in their pajamas, encouraging peaceful protesting. They may disagree with the administration, but what they are exercising is as American as an apple pie or an apple pie pastry—making their voice known.

But Trump decided he wanted to create a riot in Portland. Why does he want to create a riot in Portland? Because he wants a violent encounter in order to justify putting the military in our cities—in other words, put the military into the cities to create a riot, then use that as a justification for the military being in the cities.

That is an extraordinary risk to our Republic. That is an extraordinary risk to people—a government of, by, and for the people—and not just in Portland but in L.A., in DC, in Chicago.

What the instructions appear to be to his Federal agents is to provoke violence by attacking peaceful protesters. The Oregonian, a major newspaper in our State, did a report in which they said their staff witnessed the Federal agents attacking peaceful protesters. I thought that was a very unusual article. It wasn't the newspaper reporters saying people present at the protest alleged that the Federal agents attacked peaceful protesters. No, it said: Our staff witnessed this.

Then there is Oregon Public Broadcasting. Oregon Public Broadcasting was down there with videographers. What they witnessed was this: The Federal agents asked the protesters to move back several blocks, and they did. And there was no conflict between the protesters and the Federal agents. Behind this line of Federal agents were videographers.

Why were the videographers right behind the line of Federal agents? Well, a very interesting thing happened. After the protesters moved back—not just one block or two blocks but three blocks—and the Federal agents have a line across the street with the videographers right behind them. Upon command, the Federal agents threw down tear gas. They threw down these bang-snap devices that sound like gun-

fire going off—flash-bangs, they are called; it sounds like gunfire—and pepper balls. And, of course, you suddenly have a cloud of smoke. You are hearing what sounds like gunfire, and people are retreating from the tear gas. And they were taking videos of that, trying to say they were disrupting a riot; they were dispelling a riot.

This is like “Wag the Dog,” where a totally artificial war is reported, only in that case, it happened overseas. This is the first time I know of in American history that a President has staged a fake riot to try to convince the courts or one of his news stations that serve him so well that something is there that isn't there; that a riot is there when it is not there.

Any true-blooded patriot of the United States of America should be terrified that we have a government faking a riot to try to be able to justify sending troops into our cities. That is what we face right now.

This picture to my right was witnessed by the news media. They put this up. You have a woman who is talking to two officers. She had not disobeyed any command they had given her. There was no physical confrontation.

A third agent walks up holding pepper spray in his hand and, after a few seconds, fully unleashes it straight into her face and to the man standing next to her.

That is the type of assault from these Federal agents occurring on peaceful protesters, recorded by the news media and reported. This is not something from some bystander who happened to put the scene up on TikTok, who didn't witness the entire thing or understand what was happening, but from the major news media.

Here is a case in Chicago. A pastor in the traditional motion of praying and blessing is standing outside the building, by himself—no obvious resistance to any kind of command—and he is shot in the head from agents on top of the building. He reports that he was hit twice in the head and, I think, five times on the body.

Wow.

These folks are unleashing rapid-fire attacks, apparently with pepper balls or, as he described it, some kind of ammo that releases some kind of chemical taking him right down to the street by this attack, for praying—an attack by Federal agents on a pastor praying in front of a building.

This is an extraordinarily dangerous moment in which an authoritarian President is proceeding to attack due process, to attack freedom of speech, to attack freedom of the press, to weaponize the Department of Justice, using it against those who disagree with him, and then seeking to get the court's permission to send the military in the streets to attack people who are peacefully protesting who disagree with him.

We are at the moment right now where we are awaiting a decision from

a panel of three judges in the Ninth Circuit. The district judge who adjudicated the effort by Trump to federalize the Oregon National Guard said: There is nothing close to rebellion. There is nothing close to an invasion. So the standard is not met.

Then President Trump said: I am going to send the federalized force from California and Texas to Oregon.

In fact, 100 agents arrived from California. The same judge said: The same standard applies.

Regardless of what happened that federalized those folks in California or Texas, the question is: Is there a rebellion or invasion in Oregon?

And there is not. So she put a temporary stay on it.

The Ninth Circuit said: We are going to take a look at this. So we are going to freeze things in place.

Those Oregon National Guards and those 100 from California are going to stay at a training ground until they make their ruling. Their ruling—they held a hearing today—may be tomorrow. It may be days from now. We don't know.

Of course, that will be appealed to the Supreme Court.

There are legal scholars who are saying: Here is the challenge. Although there is an objective standard in the law, we have a Supreme Court that has already invented things that are not in the Constitution, interpreted things in a way that was totally different from the way they were considered at the time the law was written.

So the Supreme Court may say—in spite of the fact that there is an objective standard for federalizing the National Guard, the Supreme Court may say we are simply deferring to the President.

Are you kidding me?

This is a fundamental issue in the United States of America, that the military might be used against American citizens. There is a standard in the law.

Supreme Court, wake up. Do your job in the framework of the Constitution and in the framework of the laws that were passed. Quit inventing things to create an authoritarian state.

Why am I so worried that our Supreme Court has gone so far off track? Because, last year, they found invisible ink in the Constitution.

They had a case, Trump v. the United States of America. In that case, the question was: Is the President above the law? Is the President immune from any potential criminal prosecution for acts that he deems acts of the government?

I thought, well, absolutely not, of course. Our Founders were terrified that a President would become a King. If they wanted the President immune from prosecution, they could have put that in the Constitution.

Can you find that in the Constitution? Can any of my colleagues on the left side of the aisle or the right side of the aisle show me that in the Constitution? It is not there because our

Founders were that worried about the President becoming a King. So they did not give the President immunity from prosecution.

But the Supreme Court did because they thought that is too big a burden for the President to bear. They thought: In our judgment, we think it is a good idea to give the President protection, so he doesn't have to stay up late at night worrying whether he is creating a crime or not.

Well, let me tell you, the Constitution says policy is written here—written here in the U.S. Senate and in the House of Representatives down the hall. That becomes policy when the President signs it. Policy is not the purview of the Supreme Court of the United States. They are supposed to be defending the Constitution.

The pastor said:

It was clear to me that the officers were aiming for my head.

He was shot seven times with pepper balls in the face and arms and torso without warning, a Presbyterian pastor.

That is what our country is coming to—an assault on anyone who stands up and exercises freedom—freedom—to share their opinion.

Aren't there 100 Senators here who stand for freedom? Why is there not one Senator across the aisle standing for freedom here on the floor of the Senate today, not one? Why? Why is there not one Senator standing up and saying that there is no clause in the Constitution that makes the President a King—immune from prosecution for crimes committed under their law? Why is there not one Senator across the aisle saying that we will not stand for the attack on due process? the attack on free speech?

I assure you, if there were a President saying to FOX News that "you have to take a program off the air" that the President doesn't like, every Senator across the aisle would be standing up and saying that that is a breach of free speech. I would be standing up and saying the same thing, just as I am now, because it shouldn't matter whether it is a right-leaning or a left-leaning network. They should be able to put on air what they want. That is what freedom of the press is.

So we have seen 9 months of this President making this country sicker and poorer; 9 months of personal corruption, selling access to himself through his crypto enterprises; 9 months of covering up the Epstein files that he doesn't want released because his name is in them; 9 months of slashing healthcare for families to fund tax breaks for billionaires; 9 months of cutting nutrition for children to fund tax breaks for billionaires. A bill passed this body that runs up \$30 trillion in additional debt, over 30 years, to fund tax breaks for the richest Americans.

It is a families lose, billionaires win vision, and it is the wrong vision here in a Republic where we celebrate government by and for the people. A Re-

public that is exercising appropriately would be families thrive and the affluent and the powerful pay their fair share. That is the vision that all of us should be pursuing.

The fact that this horrific bill came out and passed—the "Big Ugly Betrayal of Americans Act"—that slashed healthcare in order to fund more riches for the richest among us shows you it is not working right.

What is really not working right is that the President of the United States is deploying military forces, hoping to establish that it is OK to do so; that it is OK for them to accept orders to go out and attack our cities, to attack peaceful protesters; that he will get a court decision that gives him this power.

Colleagues, let's be 100 strong behind the vision of freedom, the vision of rights for Americans and say: Hell no.

The PRESIDING OFFICER. The Senator from California.

Mr. SCHIFF. Mr. President, I want to take a look at the last 9 months in this country, at the first 9 months of this administration, and see just how far we have traveled down the road toward dictatorship in 9 months. So let me see if in less than 9 minutes I can summarize 9 months.

First, let's look at the President's early attacks on our universities and the President withholding Federal funding from universities that are using a curriculum he doesn't like or employing professors he doesn't want or that are unwilling to make changes that sacrifice their academic freedom and that suit the ideological predilections of the administration. An attack on our institutions of higher learning is unprecedented in our history. Some of the first attacks on the freedom of the American people were attacks on our universities.

They were, in quick succession, followed by attacks on law firms; that is, the President of the United States telling law firms that you must not represent these unpopular clients—unpopular to the President—because they took action against the President or they spoke out against the President or they belonged to the Justice Department when the Justice Department was investigating the President's corruption. So the President has tried to dictate to the legal community who it can defend and who it cannot.

In our country, our Founders underscored the importance of the right of representation, of the right to a jury trial, of the right even for unpopular causes to have representation. Indeed, John Adams took on one of the most unpopular cases of his time and represented those clients because he wanted to establish the principle in American jurisprudence that everyone is entitled to counsel, but under this administration, that is not true.

This administration has attacked law firms and said: You shall not represent these clients, and if you do, we will cut off your access to courthouses or we

will cut off your access to Federal contracts or security clearances that you would need to represent your clients.

Sadly, as in the case of universities, many law firms have crumbled. Having given years of lip service—decades of lip service—to the idea that everyone is entitled to vigorous representation, they have crumbled.

But the administration wasn't content to try to silence universities or professors or to silence law firms. The censorship and the intimidation campaign continued in the President using the power of the regulatory body of the Federal Communications Commission to try to silence late-night comedians because they told jokes about the President. Effectively, with Paramount, which wanted to merge with Skydance, it was made abundantly clear that that merger—that multi-million-dollar merger—wouldn't go forward unless you paid off the President in his litigation against CBS. Unless you paid the President millions of dollars, personally, that merger was not going to go through. And what is more, that pesky, late-night comedian Stephen Colbert needs to go. So Stephen Colbert gets his show canceled. Jimmy Kimmel gets his show canceled. His show was, thankfully, brought back, but the administration is using regulatory power to censor late-night comedians.

He is going after the press, the freedom of the press, telling the AP: If you don't use my Gulf of America lexicon instead of the Gulf of Mexico, you are not going to be able to cover certain things at the White House. You are not going to be able to accompany the President on certain trips.

He is suing the Wall Street Journal because they are reporting about his contacts with Jeffrey Epstein.

He is trying to silence the media, intimidate the media, chill the media, and it is working. You see the Washington Post change their editorial policy. You see the LA Times withhold its editorial of the Presidential election. The censorship is working.

But it is not just the press. It is not just late-night comedy. It is not just universities. It is not just law firms. The President is telling corporate America: You can't hire this person. Microsoft, you can't hire this person.

The threat is, if they do, they won't get government contracts.

The President is saying to other companies: You want to export your product? You have got to give the U.S. Government a share. You have got to make the U.S. Government an equity partner in your company.

And if under Bill Clinton the era of Big Government was over, the era of Big Government is back with Donald Trump—a Big Government that can make decisions about whom corporations can do business with and where and what they can export and whom they can hire.

But it doesn't stop there, of course, because now the President is using the

Justice Department to go after his political enemies. This week, it is James Comey. Next week, it will be someone else, and the week after that, who knows? It is a long and growing list of enemies with the President tweeting out whom he wants prosecuted, whom he wants investigated—commanding, dictating vindictive prosecutions almost every day—abusing the Department that I once served in for almost 6 years in a way we have never seen before in this country. He is threatening to take people's liberty away from them if they stand up to the President.

Now we have this—what brings us to the floor tonight—and that is the unprecedented use of the military, the U.S. military, and our Guard against our own people.

You have the President telling a roomful of generals and admirals that there is an enemy within, and that enemy is the American people or at least those American people who didn't vote for him. They are the enemy within, and he is going to go after them. He wants the military to use those American cities that didn't vote for him as their training grounds. No sooner is it said than we see helicopters over the skies in Chicago, and we see military troops rappelling from Black Hawks. We see the military being used against their own citizens. We see children shackled, crying for their parents in the middle of the night. We see signs of horror and chaos.

We see a President so determined to use the military against our own people that, when a Governor says: No, you cannot use our National Guard in this lawless way, he commandeers the military anyway. California was the test case. We were the first. Los Angeles was the first. Over the objections of the mayor of Los Angeles and the objections of the Governor of California, the President of the United States commandeered California's National Guard to be used against our own people to increase the risk of violence and disorder so that the President might have a pretext to order in more military troops.

Now, in California, like in most States, we revere our National Guard for what they do for us during good times and hard times; how they protect us from fire and flood. So to abuse the Guard in that way, to try to breach the trust the Guard has with our own citizens, is a calamity. It is gravely damaging the morale of the troops in the Guard even as it is damaging the trust of the people of the State in their Guard.

Now we see this replicated in Portland—this militarization, this attack on American cities. We see this in court in Portland, wherein the judge, in hearing the government's case for the use and misuse of this military force, says that its presentation is untethered to fact—untethered to fact; that there is no lawful basis, no factual basis, to use the military in this way.

Now they are doing the same in Chicago, and they are threatening San

Francisco. And if they can't get a State's own National Guard to be used against its own citizens, they are now inviting the Guard from other States, like Texas, to leave their State, with a willing Governor, to send them to another State.

I was grateful to hear the Republican Governor of Oklahoma speak out against this terrible abuse of the National Guard, which not only undermines the military readiness of our forces to be abused in this way but is so deliberately divisive that we would have one State now turn against another State; that we would have Texas against Illinois and deploy Texas's military in that way—its Guard in that way—was previously unthinkable. It should be unthinkable today.

Today, it is California. Today, it is Illinois. Today, it is Oregon. Where will it be tomorrow? Where does this end? I will tell you where it ends. It ends in more civil strife. It ends in more morale problems in the military. It ends in a lesser democracy. If we are here in 9 months, where will we be with 4 years of this? I will tell you this: We will not be a democracy. At the pace we are going, in 4 years, we will not be a democracy.

But today, 9 months into this, it is not too late to put a stop to this. All that it would require is a handful of my colleagues on the other side of the aisle to say: Enough. Enough already. Enough of the attacks on our universities and our press. Enough of the attacks on our cities. Enough of the weaponization of our Department of Justice. Enough of the lawlessness. We are going to be Senators once again. We are going to assert the power of Congress once again to put an end, to put a stop to this lawlessness.

That is all it would take, is a few people of conscience to stand up to this President and say: Enough.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—S. 2296

Mr. THUNE. Mr. President, I ask unanimous consent that all en bloc amendments be considered to the Wicker-Reed substitute amendment No. 3748.

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

VOTE ON H.J. RES. 106

Mr. THUNE. Mr. President, I ask unanimous consent that all time be yielded back.

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

The clerk will read the title of the joint resolution for the third time.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. THUNE. 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 senior assistant legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Arkansas (Mr. COTTON), the Senator from Texas (Mr. CRUZ), and the Senator from Kentucky (Mr. McCONNELL).

Mr. DURBIN. I announce that the Senator from Nevada (Ms. CORTEZ MASTO) is necessarily absent.

The result was announced—yeas 50, nays 46, as follows:

[Rollcall Vote No. 560 Leg.]

YEAS—50

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

NAYS—46

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

NOT VOTING—4

Cortez Masto	Cruz	McConnell
Cotton		

The joint resolution (H.J. Res. 106) passed.

The PRESIDING OFFICER (Mr. MORENO). The majority leader.

Mr. THUNE. Mr. President, I ask that the Senate execute the order of October 8 in relation to the Mascott nomination. I ask unanimous consent that all subsequent votes be 10 minutes in duration, and I would advise our colleagues that we intend to enforce that.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the Mascott nomination, which the clerk will report.

The bill clerk read the nomination of Jennifer Lee Mascott, of Delaware, to be United States Circuit Judge for the Third Circuit.