

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 168, H.R. 5371, a bill making continuing appropriations and extensions for fiscal year 2026, and for other purposes.

GOVERNMENT FUNDING

Mr. THUNE. Mr. President, can this be over now? Have the American people suffered enough or do Democrats need more?

Democrats have snarled air traffic; they have damaged small businesses; they left Federal workers in line at food banks; they jeopardized food assistance—food assistance—for 40 million Americans. Are they satisfied now or does the far left want more?

Surely, Democrats have hit enough milestones. The election is over. Democrats now have the extremely dubious honor of being responsible for the longest government shutdown in American history. So the question is, Can the American people get a break now?

Democrats should be embarrassed—embarrassed—that Federal workers are lining up at food banks and missing bills and in danger of losing homes or cars because Democrats can't summon enough Members to support a clean, nonpartisan funding resolution. That is right—a clean, nonpartisan funding bill sitting right here at the Senate desk. We have not asked Democrats to support a single new Republican policy. We haven't asked them to support a single partisan policy rider. We simply ask them to extend current funding levels for a few weeks so that we could have time to do bipartisan work on appropriations bills. The Democrats couldn't take yes for an answer.

On the subject of appropriations, if any Democrats cherish the faintest hope of still funding the government through a full-year appropriations process—a process that they have delayed for 5 weeks and counting—they should vote for the clean, nonpartisan CR today.

I realize the Democrats have been under a lot of pressure from their far-left base to keep the shutdown going. I assume that it was pressure from Democrats' far-left base that saw the Democratic leader flip his positions on shutdowns 180 degrees in the space of just 6 months. I realize that there are a number of Democrats in the Senate who are not just yielding to pressure from the far left but are themselves members of the far left and are happy to continue this shutdown forever if it means somehow sticking it, they think, to President Trump.

I am hoping there are still Democrats out there who can see beyond the political extremism of their leftist base. And I hope there are some Democrats who can take an honest look at the widespread damage that their shutdown is doing and say: Enough is enough.

Thanksgiving is rapidly approaching. Parents are starting to think about

what they are going to put under the tree. Do Democrats still want Federal employees lining up at food banks at Thanksgiving? at Christmas?

On the topic of the holidays, it is an open question whether people will be able to spend it with their families this year if the shutdown continues. Air traffic has been snarled for weeks as a result of Democrats' shutdown, and things are getting worse. The Transportation Secretary just announced yesterday that the government may be forced to close parts of our airspace if the shutdown continues into next week. Close airspace—think about that.

I could go on. I could talk about the unions asking Democrats to end this shutdown and support a clean continuing resolution. I could talk about the business organizations making the same request. I could read the headlines about Head Start preschools closing and SNAP recipients who are worried about their benefits and National Guard units that aren't training and on and on—every single thing as a result of the Democrats' decision to shut down the government more than 5 weeks ago. But surely—surely—there are at least some Democrat Senators who can see this for themselves, who can see this for themselves and realize it is past time to end this before the damage gets even worse. It is day 36 of Democrats' shutdown—day 36. How much longer are Democrats going to make the American people suffer?

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

2025 ELECTIONS

Mr. SCHUMER. Mr. President, last night was a great night for America and a five-alarm fire for Donald Trump and Republicans. The Republicans' high-cost house is on fire, and they have only got themselves to blame.

As loudly and clearly as they could have, the American people said last night: Enough is enough—enough with Donald Trump's tariffs, which are overwhelmingly being paid for by working people and small businesses; enough with Republicans' relentless attack on healthcare, where people are seeing their premiums go up by thousands of dollars, even each month, and they may have to be without healthcare altogether.

Last night was a sign that if Republicans continue with their failed policies, their majorities are at risk, including here in this Senate Chamber. The election showed that Democratic control of the Senate is much closer than people and prognosticators realize.

So let me say it again: Republicans' high-cost house is on fire, and they have only got themselves to blame.

By the way, that is not just my opinion; it is Donald Trump's opinion. Last night, he said that the shutdown is a negative factor for the Republicans. When addressing why he had lost, this is what Trump said:

The shutdown was a big factor, negative for Republicans.

And let me read what Trump said last night. This is Donald Trump speaking:

TRUMP WASN'T ON THE BALLOT, AND SHUTDOWN, WERE THE TWO REASONS THAT REPUBLICANS LOST ELECTIONS TONIGHT.

That is what Trump said. Trump admits that the Republican shutdown is hurting him and his party.

The President is right. Americans realize Republicans are responsible for this awful shutdown, now the longest, officially, in history—what a shameful milestone. Donald Trump has now presided over the longest and second longest shutdowns ever, and he only—only—has himself to blame.

When Leader JEFFRIES and I met with Donald Trump in the Oval Office, last month, we warned him that this would happen. We warned the President of the consequences of ignoring Democrats, ignoring the American people, ignoring the healthcare crisis. We warned the President that ignoring Democrats and insisting on zero negotiations was a recipe for disaster and would come back to haunt him.

Well, Republicans shouldn't ignore us anymore, for their own good and the country's good.

So, this morning, Leader JEFFRIES and I once again demanded a meeting with the President. It is time to sit down and negotiate with Democrats to bring this Republican shutdown to an end, we told the President. We have been asking for a meeting for weeks and even months, but now the election results ought to send a much needed bolt of lightning to Donald Trump that he should meet with us to end this crisis—his shutdown, which he admits hurt him badly in the elections.

It is time to hold a bipartisan meeting of legislative leaders to reopen the government. It is time to fix the ACA premium emergency that is now upon us. Democrats are ready to meet anytime, anywhere, anyplace.

Donald Trump ignores us at his own political peril because the takeaway from last night was simply unmistakable. Democrats swept in States last night across the country, red and blue alike. Democrats won overwhelmingly by more than anyone ever thought in New Jersey and Virginia. Democrats won in Mississippi and won in New York and Pennsylvania and in Georgia.

Democrats won in statewide races, but it went deeper than that. We won in lots of local races too: mayoral races, State supreme court races, ballot measures, and even historic swings

in the Georgia Public Service Commission, where two Democrats were elected statewide, I believe.

Why did Democrats do so well? Because Americans are fed up with Republicans shooting their costs through the roof, particularly on healthcare, on tariffs, and on their electric bills. And Americans saw that Democrats are the ones fighting for them, fighting for lower healthcare costs, fighting for working families.

While all this is happening, what is Donald Trump doing? Depriving hungry Americans of their SNAP benefits? Telling children—hungry children—we are going to cut off your food and use you as a pawn in this shutdown, which the Republicans have caused? Telling the elderly who depend on that SNAP money to adequately feed themselves, the heck with you? Telling a veteran who has PTSD or a worker who is unemployed that we are not going to give you food? How callous, how cruel, how mean, how vindictive, and how calculatingly wrong.

Americans saw the contrast between Democrats and Republicans in full effect last night. They saw that Trump is treating Americans, particularly needy Americans, as political pawns during the shutdown.

From one end of the country to the other, including battleground States, Democrats, Independents, and even Republicans rejected Donald Trump's policies and rejected hard-right elected officials.

And let me say something else. After last night, Donald Trump ought to learn that his petty vindictiveness doesn't work. Here is one glaring example: He tried to ax Federal funding for the Gateway Tunnel between New York and New Jersey—the biggest public works project in the country, employing tens of thousands of workers and ensuring continued prosperity and good transportation in the entire Northeast corridor. But he axed the funds, and his axing the funds was aimed, in his mind, at Democratic leaders like Leader Jeffries and me. In the end, it totally backfired and became a big factor for voters making their decisions in New Jersey and electing MIKE SHERRILL by an amazing 13 percentage points. One of the main issues in that campaign was Donald Trump's vindictiveness in cutting off this tunnel and trying to use it—again—and all the workers as a hostage.

So let me say it again. Last night serves as a five-alarm fire for Republicans, a warning from the American people. They are tired of Donald Trump raising people's costs, raising healthcare costs, ignoring the needs of the people.

The right way forward for Republicans—and for all of America—is to negotiate with Democrats to reopen the government and extend the ACA premium tax credits. The American people have spoken: Enough is enough.

U.S. SUPREME COURT

Mr. President, on SCOTUS and tariffs, which is being argued by the Su-

preme Court, right now as we speak, after an overwhelming rejection of the Trump Republican agenda at the polls, this morning, Donald Trump's lawyers are at the Supreme Court trying to argue his global tariffs are legal. They are illegal, but they are arguing that they are legal.

It is hard to imagine a worse morning after for Donald Trump and Republicans than to have to go to the Supreme Court and defend these tariffs, which are dramatically raising Americans' costs. That is why Republicans were so shellacked last night.

Maybe the Supreme Court will put Donald Trump and Republicans out of their tariff misery by declaring Trump's tariffs illegal—which, of course, we know they are—because Donald Trump's tariffs have been one of the biggest tax hikes on American families in recent memory.

Poll after poll shows that Americans are paying more at the grocery store, that they blame Trump for the rising taxes, and they disapprove of his tariffs.

The Supreme Court should do the right thing and strike down Trump's tariffs before those tariffs spiral our economy into an even bigger crisis.

If our democracy is to mean anything at all, we should remember the Constitution is clear, clear—clear as a bell, clear as the Liberty Bell: The power to tax and tariff resides in Congress, not the President, not by unilateral power, and not based on some BS “emergency” declaration. Donald Trump is not a King. He is bound by the Constitution and by his oath to protect the American people and uphold the rule of law.

Today, the Court should make clear that Donald Trump is not above the law.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

TRUMP ADMINISTRATION

Mr. BARRASSO. Mr. President, 1 year ago today, the American people rejected high prices; they rejected open borders; they rejected the weakness of Joe Biden and Kamala Harris. One year ago today, the American people voted to get America back on track, and they did so by voting for a unified Republican government.

Republicans won a historic victory. President Trump won every single battleground State in America. He won the popular vote. He moved over close to 3,000 counties to the right. That is 89 percent of the counties in the United States. Senate Republicans won a 53-seat majority, and House Republicans maintained the majority as well.

Americans gave us a mandate to secure the border, to rebuild the economy, to unleash American energy, and to restore America's strength.

Here we are 1 year later, and America is back on track. The results are undeniable. For the first time in years, America's borders are secure. For the last 5 months, absolutely zero illegal

immigrants have been released into our Nation. Gone are the days under Joe Biden when 10,000 illegal immigrants poured into our country each and every day. When Joe Biden was President, over 10 million illegal immigrants flooded into our Nation. Illegal immigrants were incentivized to come here with the promise of free healthcare, with the promise of free airplane tickets, with the promise of free hotel rooms and free food and free meals and free cell phones.

That era is over. President Trump is successfully removing illegal immigrant criminals from our Nation, taking them away from communities all across the country. Republicans in Congress are finishing the wall, hiring more border agents, and investing in Immigration and Customs Enforcement. The drug cartels are clearly on notice: The border is closed, and America is once again protecting our citizens.

Today, our communities are safer, and the economic turnaround has been equally dramatic. America's energy dominance is back. Gas prices have dropped to the lowest point in 4 years. AAA reports prices are expected to continue to fall and perhaps stay low over the busy Thanksgiving period that is upcoming. Inflation has cooled. Things are more affordable. Remember, under Joe Biden, prices soared by more than 21 percent. Under President Trump, private sector real wages are up over \$1,100 a year. The economy grew 3.8 percent in the second quarter of this year. We are seeing strong economic growth, and more strong economic growth is expected. The Atlanta Federal Reserve predicts third-quarter growth could be 4 percent—even greater economic growth.

You might ask yourself, what is at the heart of this economic comeback? Well, let me tell you. The working family tax cuts, which passed the Senate, passed the House, and were signed into law by the President—that is at the heart of our economic comeback.

This is the most pro-worker, pro-family tax relief in years. In Wyoming alone, families could save \$2,400 this year because of the tax cuts. Waiters, barbers, and bartenders keep \$1,300 more by having to pay no tax on tips. In my home State and in the Presiding Officer's, nurses, firefighters, and police officers can keep \$1,400 more by having to pay no tax on overtime. New parents get a \$1,000 Trump account for every newborn child, to invest in their future, and parents get a bigger child tax credit: \$2,200 more per child. Seniors are going to keep more as well. There is a new \$6,000 deduction on Social Security income. Clearly, the Presiding Officer has heard it, and I have heard it at home as well: Farmers, ranchers, and small business owners are getting relief from the much-dreaded death tax. That is what it means to stand with working Americans.

Let's be clear. If the Democrats had had it their way, families would be

paying much more in taxes—a lot more. Every single Democrat voted for the largest tax increase in American history. Every single Democrat voted for a \$4 trillion tax increase. Had Democrats succeeded, families, seniors, and small businesses would have been financially crushed.

Every Democrat voted for the government to take more of people's hard-earned money. Republicans said people should keep their hard-earned money. Republicans voted for Americans to keep what they earned. That is the difference between Republicans and Democrats.

One year ago, American voters rejected a weak America and also rejected a dangerous world. Today, we see the resurgence of American strength. We are defending our interests and deterring our enemies around the world. Military recruitment has surged to its highest level in 15 years. Morale is high. Deterrence is back.

President Trump successfully crippled Iran's nuclear program. He strengthened the success of the Abraham Accords. He secured the release of the hostages in Gaza. He ended wars around the world not once, not twice, but eight times. President Trump is the President of peace, and he is achieving this peace through American strength and leadership.

These are the policies that Americans want, need, and voted for when they elected President Trump President of the United States once again.

Regrettably, Senate Democrats still can't bring themselves to support the success. They voted against securing the border, against lowering taxes, against strengthening Medicaid, and against everything that helps working families.

Here in the Senate, for months, they delayed hundreds of routine and bipartisan nominees. It was an unprecedented blockade.

Now Democrats have set a new, shameful record. Today, they broke the record for the longest government shutdown in American history. Let me repeat that. Today, the Democrats have broken the record for the longest shutdown in American history.

During the 36 days of the Schumer shutdown, Democrats have voted against reopening the government 14 times. That is 14 votes against paying our troops, 14 votes against paying our Federal workers, 14 votes against paying our air traffic controllers, 14 times against Border Patrol agents, and 14 times against paying our TSA agents.

The Democratic Party has been hijacked by socialists, and now they are holding the American people hostage. Why? Well, it is because the Democrats have become radical and extreme. Gallup pollsters tell us that only one in three Democrats is proud to be an American. Can you imagine that. Only one in three registered Democrats is proud to be an American. That is half the number it was last year.

The party of J.F.K. is gone, and it is now the party of AOC. Democrats are

now the party of socialism and censorship, of weakness and wokeness. They even brag about it, as we saw last night in New York.

Yesterday, in New York City, they elected as mayor a socialist who wants to defund the police, abolish prisons, and give illegal immigrants free healthcare. That is who the Democrats have chosen as the mayor of New York City. That is the Democrats' vision of America's future. It is a dangerous vision. It is a destructive vision.

One year ago, Americans chose a better path. They chose safety, prosperity, and common sense. As a result, today, America is moving in the right direction, and we are going to continue to fight to get America back on track.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip.

Mr. DURBIN. Mr. President, my friend from Wyoming, my colleague on the Republican side, just gave a litany of accomplishments of the Trump administration. That is his view of the political world, and he is certainly entitled to it, but the vote results from last night show that America does not agree with what the Senator from Wyoming said. They are not happy with the MAGA movement and what it has brought to America. The results across the board were overwhelmingly in favor of Democrats last night. It doesn't square with the happy talk which we have heard on the floor about the achievements of the Trump administration.

In fact, in one candid moment, President Trump conceded that the shutdown cost him many votes in last night's election across the board, and he is right. The American people have come to understand what this government shutdown is all about. It is about their bottom line, their home budget, their healthcare, their insurance costs.

In my State—typical—people are seeing a doubling of their health insurance premiums as of January 1 and, in some parts of my State, tripling. In other parts of the country, it is even more. Why is this happening? Because of the big, beautiful, budget bill of the Trump administration. It eliminated the tax treatment that helped families pay for these health insurance premiums. As a consequence, their premiums are going through the roof.

What is that going to do to a family that has to make a choice—a choice that comes down to \$200 or \$300 a month more in health insurance premiums? Some will be able to afford it, I am sure, but others won't, and they will give up on their health insurance coverage. That is a terrible position for any family to be in.

It also creates problems when it comes to healthcare providers—hospitals, clinics, doctors, and such. They are going to find themselves in a terrible situation when these same sick people, with no health insurance, come to the hospital. Sure, they will be treated—we do that in America—but

they are going to end up incurring costs for that hospital that will not be reimbursed. What does that do for the rest of us with health insurance we can afford? We are going to end up paying more when it is all over.

You cannot ignore the health insurance problem in America, as the Republicans hope to do. That is what is driving this government shutdown, and it is time for it to come to an end.

I hope that President Trump, after last night's election results, will see clearly that he is being blamed, rightly, for this shutdown and that it has to come to an end and we have to move forward as a nation—the sooner the better.

The things that are happening across the board here are just indefensible. The President, yesterday, was weaving back and forth between saying he is going to pay all of the SNAP food benefits to hungry families in America and then saying he is going to cut them all off unless we ended the government shutdown—back and forth during the course of the day. It was hard to follow his position. I am still not sure where it ends.

But I worry that families desperate for assistance in paying for food, to put it on the table, are still not certain themselves. The food banks cannot take care of this problem. This program, the SNAP program, known as the Food Stamp Program, is critical to feeding America for over 40 million of our neighbors and friends. It is time to make it clear that the payments are going to be made—no ifs, ands, or buts about it. I hope the President makes that clear today.

OPERATION MIDWAY BLITZ

Mr. President, on an unrelated topic, this coming weekend will mark 2 months since President Trump launched his so-called Operation Midway Blitz in my home State of Illinois. The Presiding Officer will remember what it is all about. The President was sending in ICE agents dressed in combat uniforms—with masks on their face and no identification as to who they work for—to arrest what they considered to be would-be robbers, terrorists, murderers, rapists, and the criminally insane who had come across our border in past years.

They set out to do that, but what has happened is exactly the opposite. Instead of taking dangerous people off the street, they are harassing and intimidating people who have no crimes in their background whatsoever. The stories just come tumbling in every single day.

The head of the Department of Homeland Security calls this ICE force her “dream team.” Let me tell you, this “dream team” has done things that are just unthinkable when it comes to the laws and Constitution of this country.

In those 2 months since the President started sending these workers in, he has achieved what I believe to be his true objective here: not to bring down violent crime but to spread fear in the

hearts of our communities, especially our immigrant communities.

In these 2 months, we have seen people thrown to the ground and beaten. This is not speculation; it is videotaped. We have it.

We have seen children ripped from their beds in the middle of the night and zip-tied outside of an apartment complex on the South Shore Avenue of Chicago. And we have seen tear gas canisters deployed against pastors, journalists, and police.

Think about that. It has reached a point that the Federal court is entertaining depositions today from the leader of this effort, the so-called “dream team” ICE agents, trying to explain why their violence can be justified.

Innocent people have been caught up in this terror, not just the “worst of the worst,” as the President promised and his team has claimed, but American citizens, legal residents, and immigrants who have built their lives and raised their families here. They pose no threat to public safety, and yet they are the targets for these ICE agents.

I want to share a story of one of these people.

Three weeks ago, Omar Huerta Cisneros, a legal resident of the United States, a green card holder, was going for a walk in the South Side of Chicago when masked immigrant agents abruptly pulled him into a red car and drove away. Mr. Huerta Cisneros was detained and disappeared by the Trump administration simply for walking down the street as a Hispanic man.

What makes this case especially troubling, though, is what happened after they arrested him. Mr. Cisneros has a mental challenge. He is schizophrenic, and he lacks “the mental capacity to reach out to anybody,” according to his family.

His family only learned of his arrest after footage of the encounter was posted on social media. His family started searching desperately to find him in detention. Now, if this sounds like an extreme case, it is not. It is the usual custom. The ICE agents sweep people off the street, and they disappear sometimes for hours, sometimes for days, sometimes for even longer.

There is no way to check on their whereabouts. If you think that it sounds like something very unusual, if you have watched all the crime shows on TV on what a warrant for an arrest may be, what your arrest will be, what the Miranda warnings may be, this is totally unusual. The ICE agents are making it all up. They are ignoring the law and ignoring the Constitution.

In the behavior characteristics of the Trump administration, people find only silence when they asked what happened to that person just swept up off the street.

The family had to resort to pleading to the community and posting these missing person posters on social media to try to find Mr. Cisneros. This is the photograph that they were advertising,

asking people: Have they seen this man? Can you help us find our member of our family?

They finally did find him, 2 weeks—2 weeks—after the masked Federal agents wrongfully arrested him. Where did they find him? On the streets of the suburbs of Chicago. Family members believed Federal agents just dropped him off, possibly a day after detaining him. But no one contacted the family, and they didn’t know where he slept during this time away from home.

Unfortunately, Mr. Huerta Cisneros’ case is not isolated. Donald Trump has turned Federal law enforcement officers into his own personal secret masked police force to engage in political theater at the expense of real lives. In that process, the rights and liberties guaranteed by the Constitution, including the right to due process and the rule of law, have been trampled.

ICE agents, this so-called “dream team,” believe they are above the law and not bound by the Constitution. We are on the slippery slope into authoritarianism. Don’t believe me? Listen to the President’s own words.

In a “60 Minutes” interview this week, he was asked about sending Active-Duty military into American cities. He responded: “I can bring in the Army, the Marines, I could bring in whoever I want” and that he could do so “in a heartbeat” and that “no judge can even challenge me.”

He also said ICE raids “haven’t gone far enough.” Tell that to Mr. Cisneros and his family and every other Illinoisan caught up in these cruel and chaotic raids.

To think that this man is a robber, a rapist, a terrorist, a murderer, criminally insane is just almost laughable if it wasn’t such a sad situation exploiting this poor gentleman.

In the face of such ugliness, Chicago and the people who live there have shown up to stand up for one another. We saw it in Mr. Cisneros’ case, neighbors helping neighbors trying to find this man who was disappeared by the ICE agents in Chicago.

Over the weekend, we had another example. On Halloween, I joined Governor Pritzker in asking the ICE agents to please lay off the families and kids who are out trick-or-treating. They are being terrorized already. There ought to be one night in the year when you give them a break. They refused. In fact, they mocked us that we would even ask for that.

And then came an incident in Evanston, IL, a suburb just north of Chicago. It was an incident which embarrassed a lot of people and worried them that we were moving to a police state, with the ICE agents going up and down the streets looking for people who were raking leaves, checking on each one of them, in terms of their background and their citizenship and their identity.

They swept up almost everybody who was out in the yard. At this time of year, everybody is out in the yard.

That sort of thing really struck a chord in the city of Evanston. They responded, and I knew they would—a strong community.

Over the weekend, hundreds of donors lined the streets near Evanston Township High School to participate in a food drive for their neighbors. The turnout was so overwhelming that the police had to turn off the traffic light at an intersection to accommodate the line of cars waiting to drop off food.

While food was the main draw, Evanston organizers also handed out “Know Your Rights” cards and whistles along with the toiletries. Those whistles have been used by community members to warn others when ICE agents are in the area.

This is what an American community looks like: It is organizing to stand together to defend their neighbors. And while no community should have to resort to such extreme, Evanston and other communities across the country have been forced to do it, and they are willingly doing so.

For the first time in our Nation’s history, the flow of Federal funds for the SNAP program was halted at the direction of President Donald Trump. To think, this President, in order to put political pressure on Congress, is going to cut off the food to disabled people, elderly people, and children is disgusting.

The Trump administration has the power to issue 100 percent of benefits to working families and kids who rely on this program, but the President and the Department of Agriculture are defying court orders and refusing to flip the switch on these emergency funds for circumstances just like this.

In one moment, the Department of Agriculture says they will send just 50 percent of the monthly benefits to SNAP. The next moment, the President says he will only send out SNAP benefits when the government reopens. When it comes to feeding 42 million Americans, our most vulnerable neighbors and friends, suddenly the Trump administration appears confused and, once again, in disarray.

Who in the world is in charge? But it has no problem remodeling the White House bathrooms with marble and gold, throwing a “Great Gatsby” Halloween party for the richest friends, and passing tax cuts for millionaires and billionaires or inviting Senate Republicans down for breakfast as Americans, many of them, struggle to pay for their own breakfast.

It is time for this administration to stop this chaos. Families across America deserve better. I hope that what happened in yesterday’s election is a wake-up call that we need to sit down and end this government shutdown that was initiated by the Republican refusal to discuss the cost of health insurance.

We can do something to help Americans. If we can find \$20 billion or \$40 billion for Argentina, for God’s sake, there has got to be money to help

Americans pay their hospitalization premiums. I hope we get down to business today.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

Mr. PADILLA. 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 California.

NOMINATION OF ERIC CHUNYEE TUNG

Mr. PADILLA. Mr. President, colleagues, what we have seen happening to the Federal judiciary over the last 9 months is beyond concerning; it is corrupting.

We have seen nominees who are deeply partisan and deeply ideological. We have seen nominees who, under any other administration, would be roundly criticized and rejected by this body. And we have seen nominees whose chief qualification is nothing other than loyalty to and relationship to Donald Trump.

So later today, we are going to consider just the latest example of this when the Senate takes up the nomination of Eric Tung to serve on the Ninth Circuit Court of Appeals.

This is a lifetime appointment to the Federal bench, colleagues. An appellate court nominee in particular should have the judgment, the independence, and the respect for precedence worthy of the position. But instead, Mr. Tung, the nominee before us, is not here because of his independence or his judicial temperament; he is here because of his ideology.

Mr. Tung embraces an extreme and rigid view of the Constitution that rejects both equality and liberty. He has made it clear that under his constitutional philosophy, there is no protection for rights that most Americans take as fundamental, including the rights to reproductive freedom, marriage equality, and even private consensual relationships. That is not constitutional interpretation; it is a radical blueprint for rolling back decades of progress on individual freedom and equality.

When I gave Mr. Tung an opportunity to explain his history of sexist and anti-labor comments a few months ago in committee, during the confirmation hearing, he deflected. He showed no reflection or evolved thinking, because the truth is Mr. Tung's record and writings reveal a pattern of ideological extremism that calls into question his ability to apply the law fully and fairly.

Now, let me also make it clear that I am not setting out with the goal of denying the Ninth Circuit qualified replacements—far from it. Not just myself, but Senator SCHIFF, my colleague from California, and I both reached out to the White House months ago to inform them of a couple of things—No. 1, that Eric Tung would be unacceptable.

But, importantly, it is important for my colleagues on the other side of the aisle to understand that we signaled a willingness to consider more mainstream Republican candidates whom President Trump had previously nominated for district court judgeships. We were willing to try to find that common ground. But clearly the White House wasn't interested, because whether it is the Department of Justice, the FBI, U.S. attorneys, or the Federal bench, the Trump White House is showing us what they truly care about: unwavering loyalty.

So today, I will remind my colleagues that when we reference the judiciary, it is the American people's judiciary, and all the decisions we make today will affect our justice system, the people's judiciary, for years, if not decades.

For those reasons, I urge all my colleagues to join me in strongly opposing Mr. Tung's nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

WAIVING QUORUM CALL

Mrs. BLACKBURN. Mr. President, I ask unanimous consent to waive the mandatory quorum call with respect to the Orr nomination.

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

GOVERNMENT FUNDING

Mrs. BLACKBURN. Mr. President, SNAP benefits have been in the news and a topic of much discussion, and those benefits for over 40 million Americans lapsed over the weekend because the Democrats have chosen to hold government funding hostage for political "leverage"—their word—at the American people's expense. In other words, they are using the American people as pawns. Because of that, their constituents and, indeed, nearly 700,000 Tennesseans are without their SNAP benefits.

Border Patrol agents, our air traffic controllers, and Federal law enforcement have been working a month now without pay. This is why you have the AFGE and the controllers union saying: End the Schumer shutdown now.

We also know that critical Federal assistance—from rural development programs to small business loans—is in jeopardy.

Across the country, people and small businesses are all suffering because of CHUCK SCHUMER and his Schumer shutdown.

And for Democrats—I think they have wanted this. They planned for it, and they wanted to see it happen, so they got it.

Now, over on the House side, the Democratic whip made it very clear during a recent interview—and I will quote her. She said:

Shutdowns are terrible, and of course there will be families that are going to suffer. . . . But it is one of the few leverage times we have.

So to the American people, realize that the Democrats you have elected

see you as pawns and leverage and pieces that they can move around a chessboard.

As the Senate Democrat leader said at the beginning of the shutdown, and I quote him:

Every day gets better for [Democrats].

They see this as improving their political chances.

Over the last month, his party has voted more than a dozen times to keep the government shut down. At the heart of their demands is the permanent extension of President Biden's COVID credits under ObamaCare. This would be a \$450 billion expense to the U.S. taxpayer.

Last week, I was on the floor talking about this and about how Democrats are peddling falsehoods to try to justify their Schumer shutdown. They claim that ObamaCare subsidies are going to expire. In reality, it is only the Biden COVID credit bonus that will expire.

What happened during COVID for the ObamaCare subsidies—they took off the income caps, and a lot of people had zero-dollar premiums. If you were making over half a million dollars a year, you, too, could get a Biden COVID credit bonus and subsidy from the ObamaCare exchange and you, too, could have the U.S. taxpayer picking up the tab for 80 to 90 percent of your health insurance because they plussed up the credit, and they removed the income caps.

Now, the original ObamaCare subsidies—which, by the way, do not expire. These are permanent. They are in law. The original subsidies continue for people who are at 100 to 400 percent of the Federal poverty level.

Our colleagues across the aisle claim that the Biden COVID credits are needed to keep the cost of health insurance premiums down. In reality, ObamaCare is too expensive to afford without the subsidy. So what they are doing is propping up a broken system.

In fact, since 2013, the ObamaCare benchmark plan premium has increased by 237 percent—more than three times the rate for employer-sponsored healthcare plans that most Americans get through their work and from their employer. As these premiums go up, taxpayers are on the hook to subsidize not the individual but, guess what, the insurance company. The subsidy doesn't go to the individual; it goes directly to the insurance company.

Our colleagues on the other side of the aisle need to understand that their fight for government-run healthcare, which is really what this entire Schumer shutdown is all about, is going to fail. It is time for them to put the American people over and before far-left politics. It is time to reopen the Federal Government.

ARTIFICIAL INTELLIGENCE

Mr. President, we all are hearing quite a bit about AI and the potential of AI to transform entire industries for

the better, to make them more efficient.

In Tennessee alone, our advanced manufacturers are using it to become more efficient, to lower costs, and to increase productivity. Healthcare providers are using it to strengthen care, and researchers are using it to discover new treatments. These are all things that are worth celebrating. They are good, and they are yielding good results, but we also know that this emerging technology can be used for harm.

In the case of Google, its AI models have targeted conservatives with defamation for years. During a Senate Commerce Committee hearing last week, I presented evidence to Google's vice president for government affairs and public policy that his company's AI models have repeatedly—repeatedly—fabricated malicious stories about conservative activist Robby Starbuck. He is a Tennessean, and he is a conservative leader in our State.

In one instance, Google's large language model, Gemma, falsely claimed that Starbuck was accused of child rape and that I publicly defended him. Google's AI models have also falsely accused him of being a former adult film star, of facing criminal drug charges, and of shooting a man in Nashville in an argument over a parking spot.

In response, Google's VP claimed that "hallucinations" among their AI models are a common problem and that the company is working on it—as if this harmful defamation is merely a technical glitch. And they refer to it as a hallucination.

In fact, there seems to be a pattern of malicious lying and fiction when it comes to conservatives. So I asked the AI model "Has MARSHA BLACKBURN been accused of rape?" The answer to this question, of course, is an unequivocal no. I never have. Yet, Gemma fabricated an entire outlandish criminal allegation against me. It had a massive story about a rape in 1987, which didn't happen, and accusations of improper conduct, which did not happen. It also came forward with an alleged victim. It was all malicious. It was all made up. It was all a lie. Yet Gemma even generated fake links to fabricated news articles to support the defamatory claim, and, of course, the links didn't work.

This marks a catastrophic failure of oversight of an AI model that has been downloaded by more than 200 million people. So last week, I sent a letter over to Google's CEO Sundar Pichai demanding an explanation as to why Gemma was creating these false allegations, criminal allegations, against conservatives and also against me. I also asked for a list of steps the company is taking to eliminate political bias and defamatory content from its models. Google has not responded to my letter. What they did do was take Gemma down over the weekend.

Despite the AI model's serious flaws, the big tech giant said in a statement

that it is going to continue to work to make Gemma available to their developers.

And the message on this is clear: You need to shut it down. You need to shut it down completely. You need to shut the Gemini system down completely.

The American public deserves to know that, with these AI models, the information is going to be accurate. It is going to be transparent. It is going to be fair, and it is not going to be a tool that is going to be used to fabricate and to smear conservatives.

In the meantime, Google has until tomorrow to respond to the letter demanding answers. And it is important to keep in mind that this is the same Google that operated a Gmail blacklist that suppressed Republican fundraising emails as spam, and it is the same Google that manipulated search results about the 2024 election to benefit Kamala Harris and to harm President Trump, and it is the same Google that suppressed search results of the attempted assassination of President Trump in Butler, PA.

Big Tech has waged a war on conservatives for too long. It is time that the American people see accountability out of these platforms.

I yield the floor.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Eric Chunyee Tung, of California, to be United States Circuit Judge for the Ninth Circuit.

NOMINATION OF ERIC CHUNYEE TUNG

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Eric Tung to the U.S. Court of Appeals for the Ninth Circuit.

Mr. Tung is yet another judicial nominee who has been selected by President Trump for his partisan ideology. Mr. Tung has not received blue slips from his home State Senators, and his record demonstrates why.

At his hearing, Mr. Tung stated that he subscribes to "originalism." Earlier this year, he clarified that this means he does not recognize a constitutional right to abortion, marriage equality, or even private consensual sexual activity, writing: "Whether there's a constitutional right to abortion, same sex marriage, sodomy, pornography, transgender procedures—the answer for the originalist is simple: No."

Over the course of his legal career, Mr. Tung has demonstrated his hostility to workers and to voting rights. He has declared his belief in "gender roles" and claimed: "When these radical feminists try to blur gender roles, they undermine institutions like marriage—institutions which hold society

together." When I gave him an opportunity to renounce his comments, he sought only to justify his extreme views.

Mr. Tung also has strong ties to rightwing organizations and figures. He has called the president of the far-right Article III Project Mike Davis a friend. At his hearing and in his responses to written questions, Mr. Tung refused to disavow overtly racist and sexist statements by Mr. Davis.

Mr. Tung's record suggests he will continue to place his personal views and President Trump ahead of his commitment to the Constitution.

I will oppose Mr. Tung's nomination. I urge my colleagues to join me.

VOTE ON TUNG NOMINATION

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

Mr. DURBIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. BARRASSO. The following Senator is necessarily absent: the Senator from Utah (Mr. LEE).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER) and the Senator from Minnesota (Ms. KLOBUCHAR) are necessarily absent.

The result was announced—yeas 52, nays 45, as follows:

[Rollcall Vote No. 605 Ex.]

YEAS—52

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

NAYS—45

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

NOT VOTING—3

Booker	Klobuchar	Lee
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The nomination was confirmed.

The PRESIDING OFFICER (Mr. RICKETTS). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the