

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	Hoeben	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

President will be immediately notified of the Senate's action.

### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 421, Caleb Orr, of Texas, to be an Assistant Secretary of State (Economic and Business Affairs).

John Thune, Tim Scott of South Carolina, Mike Crapo, Jon A. Husted, Rick Scott of Florida, John Boozman, John R. Curtis, Mike Rounds, Kevin Cramer, Ted Cruz, Thom Tillis, Bernie Moreno, Tommy Tuberville, Markwayne Mullin, Katie Boyd Britt, Bill Cassidy, Roger F. Wicker.

The PRESIDING OFFICER. Under the previous order, the mandatory quorum call under rule XXII has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Caleb Orr, of Texas, to be an Assistant Secretary of State (Economic and Business Affairs), shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

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

The yeas and nays resulted—yeas 57, nays 41, as follows:

[Rollcall Vote No. 606 Ex.]

#### YEAS—57

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

#### NAYS—41

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

### NOT VOTING—2

Booker Klobuchar

The PRESIDING OFFICER. On this vote, the yeas are 57, the nays are 41. The motion is agreed to.

The motion was agreed to.

### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Caleb Orr, of Texas, to be an Assistant Secretary of State (Economic and Business Affairs).

The PRESIDING OFFICER. The Senator from Kentucky.

#### LOUISVILLE UPS PLANE ACCIDENT

Mr. MCCONNELL. Mr. President, I know that many of our colleagues and the American people have seen the tragic news out of my hometown just yesterday. And I am grateful for their thoughts and their prayers this morning directed toward the people of Louisville.

Folks around our county, Jefferson County, need those prayers right now and in the days and weeks to come. The death toll from last evening's UPS crash has continued to rise throughout the day. For the families of these victims and for the injured survivors being treated at area hospitals, life will never be the same. There is a lot of grief welling up right now in Kentucky. This would be true even in the case of a single life lost. But as local first responders, State officials, and Federal investigators continue their work today, I would like to help our colleagues understand what makes this tragedy such a gut punch in a place like Louisville.

During the day, Louisville International hums with thousands of passengers from all across the country. But around the clock, Louisville is also a hub for global shipping and logistics, business supplies, consumer goods, and Christmas gifts.

If it is going somewhere in short order, it is a very good chance it is passing through UPS Worldport in my hometown of Louisville.

None of this is possible without teams of devoted professionals. Louisville is home to logistics experts, warehouse workers, aircraft crews, and maintainers. They take pride in their work, and their community takes pride in them.

That is why this crash cuts so deep. It is about all of us. Today, Jefferson County schools and many local businesses are completely closed. Neighbors are mourning neighbors. So today will be a tough day in the Commonwealth.

But the people of Louisville are grateful for the swift, lifesaving efforts of our first responders, from local police, fire, and EMS. They trust in the prayers of their fellow Americans.

I want them to know that their representatives here in Washington are making sure that every Federal re-

source they need is on the ground and headed their way soon. I spoke with Mayor Greenberg this morning. My team and I will continue to stay in close contact with local, State, and Federal officials, including at the FAA and the NTSB, in the coming days.

But first and foremost, I am keeping my fellow Kentuckians in my prayers and asking our colleagues to do the same.

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

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

#### SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

Mr. SCHATZ. Mr. President, this is exactly what it looks like. The President of the United States is going out of his way to make sure that people don't have enough to eat. And it is hard to believe because it does sound crazy; it does sound partisan. But he really is using hunger as a political weapon.

Let's back up for a second. On September 30, this administration, the Trump administration, released a plan saying that they were going to use a contingency fund to pay SNAP benefits during the shutdown. This is the way it has been done every time there is a shutdown.

There is a pocket of money that is literally there to pay SNAP benefits in case there is an emergency of any kind, including a lapse in appropriations. Then 3 weeks later, they said: Never mind. We are not permitted to pay these benefits during a shutdown.

That was clearly not the case, and they had already issued guidance saying: We are going to use this funding.

They pulled it because they wanted to create leverage.

Then, they went to court to argue against paying these SNAP benefits. Then, two separate judges said: Not only are you permitted to use this contingency fund to pay nutritional assistance benefits to the working poor, children, the elderly, the disabled—not only are you permitted to do that—you are required under the statute to do that.

Now you have two Federal judges saying the law is clear. It is not a question of whether you are permitted to do it or not. It is actually whether you are permitted to not do it. The judges both said you have to do this; it is what the law says.

This week, they announced that they are only going to pay half of the benefits. They are going to pay half of the SNAP benefits that 40 million Americans need. It is kind of even worse than that because SNAP goes through State Agencies, and State Agencies, in a lot of cases—the unemployment system is