

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
Galleo	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

like this—they have these antiquated computer systems. So any change in the benefit structure has to be reprogrammed into their computer systems and then loaded up onto the EBT cards.

Some States are going to be able to implement this half benefit within a few days. But there are several States with antiquated computer systems that are saying it could be weeks or even months.

I just want to make this point extremely clear: None of that is necessary. They are clearly feeling some amount of heat and urgency to end the shutdown. Usually, what you do if you are the President of the United States and you feel an urgent need to cut a deal is you try to get the people with whom you would need to make a deal into a room and begin a negotiation. But Trump really doesn't want to do that. He thinks we are evil. His senior adviser has called the Democratic Party a domestic terrorist organization or some such thing. So he is just like—I don't know if he is incapable or, at least so far, unwilling to do the basic blocking and tackling required by being a political leader at any level—county council, mayor, State legislature, Lieutenant Governor, House, Senate, whatever. You have to interact with people that you have disagreements with.

But he doesn't want to do that. His theory of change—Stephen Miller, Russ Vought, some of these folks—is we are just going to squeeze Democrats.

That would be like normal hardball politics, except for this. What they mean by “squeezing Democrats” is they mean threatening to shut down or throttle air traffic. What they mean by squeezing Democrats is canceling long-planned, long-approved projects that benefit everybody across the country. What they mean by squeezing Democrats, in this particular instance, is that 40 million people are going to not have enough to eat.

Look, I don't always want to be the partisan warrior. I like interacting with my Republican colleagues. I come from the State of Hawaii, where there is a decisive majority of Democrats. So one of the muscles I had to develop over the last 13 years was sort of how to interact with the other party and make arrangements, cut deals, compartmentalize the problems that I have with some of these folks on other issues and find common ground.

My appeal to my Republican colleagues is very simple: Can we just leave the kids harmless? Can we leave the hungry harmless? We are clearly in a disagreement about how the appropriations process and this Affordable Care Act subsidy question should be wrestled to the ground. My own view is like, let's just be adults and convene; and then wrangle and argue and shout at each other a little bit; and reconvene and then cut the deal. That is how the country is supposed to work. But separate and apart from that, can we please say that using hunger as a weapon

is out of bounds in the United States?

There is a long and pretty dark history, an evil history, of politicians—some popularly elected, some not elected—using food as a means of political control. I think that is not a road that we want to go down. I think we want to say that whatever else we are fighting about, if there are Americans who are hungry, then we should hold them harmless.

Just to be clear, there is no shortage of money in the United States of America. The stock market is booming. You have these AI data centers racking up \$100 and \$200 billion capital expenditure plans. There is enough money sloshing around in the public and the private sectors to pay for food. There really is.

If you are a regular person trying to put food on the table for your family, if you are trying to keep your health insurance premiums from more than doubling, if you are struggling to pay your bills to make ends meet because everything is getting more expensive, there is no money for you. But there is enough money for a golden toilet, and there is enough money for a \$173 million new aircraft for the Secretary of Homeland Security. And there is \$40 billion for the country of Argentina, to bail them out, which, coincidentally, is about the amount of money that it would cost to extend these Affordable Care Act tax credits.

So it is not a question that the economy is contracting and our debt is out of control and all the rest of it. This body just passed a \$1.5 trillion deficit increase in the form of a tax cut, where the benefits go, not exclusively but disproportionately, to wealthy individuals. It is not a question of there not being enough money. The problem is that they have decided that there is not enough money for you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### FEDERAL JUDICIARY

Mr. GRASSLEY. Mr. President, I come to the Senate floor today to express my concern about recent attacks on the legitimacy of the judicial branch of government.

A fair and neutral judiciary plays a very indispensable role in our constitutional structure. Judges wield enormous power, and their decisions determine the legal rights of the parties before them.

One especially potent power of the judiciary is the practice of judicial review. As we all know, the judiciary sometimes decides cases that impact the operation of laws passed by Congress or the actions of the executive branch. We accept this judicial review because neutral arbiters are necessary in a system based upon the rule of law, but this system only works if everyone accepts that the arbiters are, in fact, neutral. Litigants, the coequal branches of government, and the American people must be confident that judges are merely saying what the law

is and not what those judges wish the law to be.

Our judicial system also requires respect for appellate review. The Federal courts are hierarchal, and the rule of law depends on public confidence that lower courts will faithfully apply and respect the decisions of the higher courts. It is no surprise that some people are not always happy with how the courts exercise judicial power. Criticism is fair and sometimes warranted, but too often it has strayed into outright attacks on the judiciary as an institution.

Today, however, I am here to discuss attacks on the judiciary coming particularly from a concerning place that is within the judiciary itself. It is one thing for the political branches or the public to criticize the Supreme Court. It is entirely different for Federal judges themselves to undermine their own branch of government. In two high-profile instances in the last few months, numerous judges have anonymously gone, as you might expect, to the press to denigrate the Supreme Court. This ought to be deeply concerning not only to this Senator but to the public at large.

On September 4, 2025, NBC News published a report alleging that 12 Federal judges gave anonymous interviews, and 10 of them took that opportunity to criticize the Supreme Court.

One judge described the Supreme Court's conduct as “inexcusable.”

Another judge said the Supreme Court “is effectively assisting the Trump administration in ‘undermining the lower courts.’”

Then we have a big hit piece by the New York Times on October 11, 2025. That newspaper ran a story where they sought out judges specifically to criticize the Supreme Court. The Times approached 400 of the almost 1,500 Federal judges with questionnaires. The Times intentionally solicited judges in districts that litigants considered to be unfavorable to the current President. Of the 400 judges approached, thank God only a small percentage took the offer. I think this is an important point. Then we can draw the conclusion most Federal judges didn't take the bait of the New York Times because it violated the ethics of the judiciary. So only a small percentage did, but that is still a fabulous 65 judges responding to the Times' questionnaire. It happens that some responded with very harsh criticism. They then gave the Times the fodder that they needed to spin the narrative of a judiciary in crisis.

The Times wrote:

[F]ederal judges called the Supreme Court's emergency orders “mystical,” “overly blunt,” “incredibly demoralizing and troubling” and “a slap in the face to the district courts.”

One judge compared their district's current relationship with the Supreme Court to a “war zone.”

Another said the courts were in the midst of a “judicial crisis.”

I am deeply concerned—and I hope the public at large is—that these public