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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Gracious God, who reveals Yourself gloriously in the rising and setting of the Sun, make us good stewards of your blessings. Lord, give us opportunities to help solve the problems in our world by using our minds to produce creative solutions. Inspire our Senators. As they abide in Your presence, make them receptive to Your guidance. Fill their minds with insights and wisdom, and give them resiliency and courage. Today, provide them with the grace to think not of what they can get but of what they can give. Empower them to practice conciliation without compromise. Lord, place your arms of protection around them and their families.

We pray in Your all-powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Tulsi Gabbard, of Hawaii, to be Director of National Intelligence.

The PRESIDING OFFICER (Mr. MORENO). The Senator from Iowa.

CABINET NOMINATIONS

Mr. GRASSLEY. Mr. President, sometime today, we are voting on the nomination of Tulsi Gabbard. She is going to be Director of National Intelligence after she is confirmed.

Until she was nominated, I only knew her from seeing her in media sound bites and what other people wrote about her. She came to my office, and we had a very good, very substantive conversation. I determined that she is very smart and obviously an articulate person.

In our discussion, we covered many of her past statements on various policy matters, and she was able to clarify what the media got right and what the media got wrong.

Obviously, since she served in the Congress of the United States as a Democrat, I and she may not agree on every policy. However, Representative Gabbard made clear that she does not see her position as Director of National Intelligence as a policymaking position. She understands that President Trump is the one who was elected. As Director of National Intelligence, Tulsi Gabbard's job will be simply to make sure that the intelligence community is able to provide the best unbiased information to help President Trump make the proper decisions.

She and I also spoke about some of my past oversight work regarding the intelligence community. I have had

mixed results in getting legitimate information that I have sought, depending upon who was in that particular position. For instance, when Rick Grenell became the Acting Director of National Intelligence, I suddenly and surprisingly got material that I had asked for after being totally stonewalled by previous Directors of National Intelligence.

Based on my conversation, I expect Tulsi Gabbard, along with CIA Director Ratcliffe, will ensure that the intelligence community will be forthcoming and fully responsible to Congress as we in Congress exercise our constitutional responsibility not only to pass laws and appropriate money but to be a check on the executive branch of government to see that a President—whether that President is Republican or Democrat—faithfully executes the laws as required by the Congress of the United States.

On another matter, yesterday, I took a minute or two to address the Senate to remind my other 99 Senators—which I do not have to remind the members of the Senate Agriculture Committee—that our nominee for Secretary of Agriculture, Mrs. Rollins, was voted out of committee unanimously. You would think, then, that if both Republicans and Democrats think that Mrs. Rollins is the proper person to be Secretary of Agriculture, she would be quickly approved for that position unanimously here in the U.S. Senate and maybe even be lucky enough to do it on a voice vote.

Now, I don't know what is going to happen, but I do know that we are going to be sitting around the U.S. Senate today for several hours to see whether we are going to vote on Ms. Gabbard to be Director of National Intelligence or we are going to have that disposed of very quickly and get down to work.

But the people in this country send us to the U.S. Senate to actually do work. And when you are sitting around

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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just waiting for a decision from the minority of when they are going to allow us to vote on this particular nomination or how we are going to handle Mrs. Rollins for Secretary of Agriculture, nothing is getting done, and we are wasting a lot of the taxpayers' time with a lot of important decisions that have to be made, even after we approve all the members of the Cabinet.

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. THUNE. 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 MAJORITY LEADER

The majority leader is recognized.

NOMINATION OF ROBERT F. KENNEDY, JR.

Mr. THUNE. Mr. President, this week, the Senate will consider the nomination of Robert F. Kennedy, Jr., to be Secretary of Health and Human Services. President Trump has tapped Mr. Kennedy to lead the charge in making America healthy again—something that has been a concern of Mr. Kennedy's throughout his career.

Mr. Kennedy promises to make HHS a collaborative, transparent, and science-driven Agency under his leadership. I will say that is good to hear. Many Americans' trust in health authorities has eroded in recent years, with the pandemic being a factor. A lot of Americans feel frustrated with confusing and sometimes contradictory guidance from government Agencies. And measures like requiring toddlers as young as 2 years old to wear masks indefinitely not only defy common sense, there was no scientific research to back it up.

Our public health Agencies do critical work. I am a supporter of the research, and I am proud of the contributions they make to American leadership in medicine and innovation. But if we are going to make America healthy again, the Agencies doing this important work have to rebuild some trust with Americans.

I was pleased to hear Mr. Kennedy pledge to increase transparency and accountability, including an unprecedented level of collaboration with Congress that allows for regular and robust oversight of his Agency's activities.

I was also pleased that Mr. Kennedy acknowledged the importance of vaccines and the concerning reality that vaccine uptake in this country is decreasing. Mr. Kennedy has pledged that he will maintain the best vaccine standards, and he has committed to work within existing vaccine approval and monitoring systems and maintain the FDA's review standards.

I look forward to Mr. Kennedy being a partner with Congress on some very important issues. He has brought attention to America's chronic disease epidemic. I am pleased that he wants

to put a focus on chronic diseases that affect too many Americans and cost far too much in lives lost and dollars spent.

I am also encouraged that he is committed to implementing President Trump's pro-life policies at HHS. President Trump has been one of the most pro-life Presidents we have ever had. Mr. Kennedy's Agency will be critical in protecting life and supporting mothers and babies.

Mr. Kennedy is also committed to working with farmers and ranchers on policies that affect our food supply. America's farmers and ranchers are a valuable resource, and I look forward to working with him to ensure that the voice of South Dakota's agriculture producers is heard.

I believe that Mr. Kennedy's collaborative approach to this job will help restore some of the trust in our public health Agencies that has been lost in recent years. I look forward to working with him on a number of issues as we restore that trust and work to make America healthy again.

CABINET NOMINATIONS

Mr. President, before I close, I want to highlight the nominations processes we are having here in the U.S. Senate.

Mr. Kennedy's confirmation will be the 15th since President Trump's inauguration. Democrats are obviously trying to slow down the process, but we have been moving right along. We will continue to maintain an aggressive pace until President Trump has his entire team in place.

Mr. President, it is interesting that Democrats have saved some of their fiercest opposition to two of our nominees this week—Mr. Kennedy and Tulsi Gabbard, who, interestingly enough, are both former Democrats. I wonder if Democrats are unhappy to see the elevation of two individuals who became disillusioned with the Democratic Party.

I think most Americans are pleased to see President Trump have a diversity of backgrounds in his Cabinet. In fact, it is not uncommon. President Bush's first Cabinet included a Democrat. President Obama's had two Republicans. President Trump elevated an Obama appointee to his first Cabinet. But this trend stopped with President Biden.

I am sure the American people are glad to see President Trump living up to his promises to be a President for all of America. It is up to Democrats whether they want to participate or just obstruct for the next few years. But Republicans will be working to deliver results that benefit all Americans.

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.

TRUMP ADMINISTRATION

Mr. SCHUMER. Mr. President, in his first 3 weeks in office, Donald Trump has waged a scorched-earth campaign against the rule of law.

We all know that Donald Trump, of course, won the election last November, and as we all know, he campaigned on a platform to cut back large parts of the government. But nothing—nothing—in the Constitution, nothing in our grand tradition of American separation of powers allows Donald Trump to break the law in order to achieve those goals.

Let me repeat that. Donald Trump campaigned on cutting back the government. That is true. But he is not allowed—not allowed—to break the law to achieve those goals.

That is not how America works. You campaign. You put your ideas forward. In this case, Donald Trump won. But he did not campaign on breaking the law, and the American people don't want him to break the law.

The reason we have a system of checks and balances is so that even when one side wins an election, there is a check, there is a balance. That is what America has been all about for over 200 years. At this point, Donald Trump is trying to break that tradition in area after area after area. So the courts have begun to speak, and their message is very simple: The law is not optional, not even for a President of the United States.

Yesterday, at least five rulings were handed down in Federal courts against the President's brazen conduct in office: court rulings against his attempt to freeze trillions in Federal funding at OMB; court decisions against his heartless, cruel decision to stop billions in medical research funding through the NIH. Courts have ruled against his unlawful attempt to hollow out the Federal workforce regardless of the job they do.

To be sure, these decisions—these five decisions and many others like it; I think there are over 50—are all temporary, preliminary, and it is one step in a long process that will play out in Federal court. But the trend is clear: Donald Trump is not free to bulldoze his way through the rule of law. Donald Trump is not free to bulldoze his way through the rule of law. He is an executive, not a monarch. He swore an oath faithfully to execute the duties of his office, and when the courts speak, Donald Trump must accept their judgments and honor the Constitution.

Now, there are some on the hard right who think Donald Trump should ignore the courts. Even the Vice President seems to suggest the courts can't "control the powers of the executive." With respect to the Vice President, the issue here isn't the courts trying to control the President; it is the President trying to control the law. He