

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

wants to decide for himself what the laws are, which ones should be applied, which ones shouldn't, and what they mean.

Congress makes the law. Courts interpret the law. We all learned that in grade school. That is how checks and balances work in a constitutional republic. Donald Trump does not reign supreme. When the courts speak, the President must adhere to their judgments. That is what his oath demands.

The courts will be an important venue for holding Donald Trump accountable whenever he breaks the law and breaks his promise to the American people. It is one tool in the toolkit for how Democrats and all Americans who care about the rule of law will make sure that Donald Trump does not break the law and do just what he wants. Our courts will be just one resource of several, but they will be among the most important, and as we have already seen, they are a critical front in the struggle to uphold the rule of law and prevent America from sliding into utter lawlessness.

#### GOVERNMENT FUNDING

Mr. President, on the shutdown, in 5 weeks, funding for the Federal Government will run out.

Let us remember, when there is talk about a shutdown, Trump and Republicans are already shutting down large parts of the government. Democrats do not want a government shutdown. It is the Republicans who are in charge. It is their responsibility to avoid a shutdown.

The idea that Democrats want a shutdown is laughable. Republicans who say this should look in the mirror. Let me repeat. Let me repeat: When there is talk about a shutdown, Republicans are already shutting down large parts of the government. Democrats do not want to shut the government down. It is the Republicans who are in charge; it is their responsibility to avoid a government shutdown.

Since the inauguration, unfortunately, President Trump and Republicans have been actively working to shut down parts of the government entirely on their own. They have shut down funding to CHCs. They shut down funding for research institutions; shut down exports for farmers; shut down protections for consumers; fired government watchdogs. Republicans are making plans to force Medicaid work requirements on Americans who even have disabilities and can't work. They are making plans to harm Social Security recipients. They are trying to cut any sort of oversight so that corporations can run rampant.

Nobody—nobody—unfortunately, is working harder right now to shut down the government than Donald Trump and congressional Republicans. Nobody is working harder to shut down the government than Donald Trump and congressional Republicans.

#### CABINET NOMINATIONS

Now, Mr. President, on two upcoming nominations this week, Senate Repub-

licans will force two nominees through the Senate that they know perfectly well do not merit confirmation. But Republicans, it seems, are going to confirm them anyway because Donald Trump is strong-arming them into submission. Last night, 52 Republicans voted to advance the nomination of Tulsi Gabbard to serve as the Director of National Intelligence.

By now, there is no question about whether or not Ms. Gabbard is qualified to lead America's intelligence Agencies. By every objective measure, she is not. How could they choose—of all the people who might be available to do this job, how could President Trump choose her? The Director of National Intelligence must be fluent in the truth, above all. Intelligence, by its own definition, is a fact-gathering Agency—it depends on facts. But instead of speaking fact and truth, Ms. Gabbard repeatedly speaks the language of falsities and conspiracy theories.

The Director of National Intelligence must be strong against America's adversaries, but Ms. Gabbard has spent her entire career sympathizing with the likes of Vladimir Putin and Bashar al-Assad. On the night that Russia invaded Ukraine and launched the first full-scale invasion of a sovereign nation in Europe since World War II, what was Ms. Gabbard doing? Spending her energy blaming NATO and the U.S. for what Putin did. Putin invades Ukraine; Gabbard blames the U.S. for Putin's invading Ukraine.

How can we put this kind of person as the head of DNI? That alone should be disqualifying for anyone seeking to become the top intelligence adviser to the President of the United States.

And when Ms. Gabbard had the opportunity to repair her image before the Senate Intelligence Committee and ease the deep worries of Senators on both sides of the aisle—we all know a load of the Republicans on the Intelligence Committee felt she doesn't belong in office—what did Ms. Gabbard do? She only exacerbated those worries. Senate Republicans know very well that she has no business advising the President on matters of classified intelligence. They know her judgment is off the mark—way off the mark. They know her troubling history of pushing conspiracies and spreading propaganda.

So, deep down, this nominee is really about one very simple question: What do Senate Republicans care more about—doing the right thing for national security, for American national security, or doing what is necessary to keep Donald Trump happy even when they know how badly he is wrong? The American people will know the answer tonight after the Senate votes on the Gabbard nomination.

After that, we will move to another equally unqualified nominee. It is a parade of unqualified nominees. Robert Kennedy, Jr. is nominated to serve as the Secretary of Health and Human Services.

To state the obvious—the very, very obvious—putting a very wealthy, vaccine skeptic, and conspiracy theorist in charge of America's public health would put every single American in danger. Mr. Kennedy is neither a doctor nor a scientist nor a public health expert nor a policy expert of any kind. In fact, he is the face of the modern anti-vaccine movement. He has spread other outrageous claims, like saying antidepressants cause mass shootings or that AIDS might not be caused by HIV or that COVID spared certain ethnic groups. RFK has not made a living by promoting public health but, rather, by actively fighting it—by actively fighting it.

Is RFK really who Republicans want running HHS? Again, it is the same question with Ms. Gabbard. Of all of the people in America, how did they end up choosing him? How did Donald Trump end up choosing him, once again, for an Agency that depends on science, evidence, and impartiality to ensure the health of over 330 million Americans?

That vote—the vote on RFK—is about one simple question—one simple question: Will Republicans do the right thing for American public health, or will they do whatever is necessary to keep Donald Trump happy no matter how misguided he is? The American people will know the answer to this very soon also.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

#### GOVERNMENT FUNDING

Mr. BARRASSO. Mr. President, I just heard Senator SCHUMER, the minority leader, say that Democrats don't want a government shutdown. Well, I would recommend that the minority leader actually read the newspaper. He is going to see that Democrats are threatening and actually calling for a shutdown of the U.S. Government.

So here is USA Today, today, with a picture of Senator SCHUMER right there—a big picture in color, with his fist in the air—“Democrats open to shutting down the government.” So the Senator who just was on the floor, saying, oh, no; they don't want it, is calling for it across the country in USA Today this morning.

That is what we are seeing across this country: Democrats are so much in disarray after the fact that they lost the House, lost the Senate, lost the White House, that the Democrats now want to shut down the government.

Here was the headline in The New York Times on Sunday: “Democrats Hint at Government Shutdown to Stop Trump's Axing at Federal Agencies.”

President Trump is doing what people elected him to do—to get the wasteful Washington spending to end. So that was in USA Today and The New York Times.

What about The Washington Post?

The Democrats say:

They will not help avert a shutdown.

The Democrats are calling for a shutdown—in USA Today, The New York