

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

Times, The Washington Post. The list goes on.

What are Democrats saying on television?

Well, on “Meet the Press” this Sunday, Senator ANDY KIM of New Jersey, said that Democrats in Congress would shut down the government, he says, “if we have to” in order to obstruct President Trump—not to help the country, not to provide services for the men and women in uniform, not to provide needs around the country. No—because they want to obstruct President Trump. That is why CHUCK SCHUMER and the Democrats are calling for a government shutdown.

It didn't end there.

CORY BOOKER of New Jersey—a member of the leadership of the Democratic Party—was on CNN this weekend. What did he say? “Democrats will use every tool possible” to stop President Trump.

The Democrats want to stop the President, who was elected with 312 electoral votes and won every one of the battleground States. The Democrats just want to stop him, and the American people want the kind of action and the urgency that we are seeing right now out of President Trump.

JEFF MERKLEY, a Senator from Oregon, is open to shutting down the government. He said: “There's no [more] business as usual.” Shut it down.

President Trump is doing exactly what America voted for, but here are the headlines, and there are the pictures, and those are the Democrats in the U.S. Senate, saying: We don't care what the American people say. We are going to shut down the government.

President Trump is shrinking the size of government. We know the government is too big. We know it spends too much. President Trump is accounting for every single penny, and we are not going to make pennies anymore as a result of the fact that it costs 3 cents to make a penny. That is why Democrats want to shut down the government. They don't like the success that America is having today. They don't like the optimism that is pervasive throughout our country.

So, once again, if there is going to be a shutdown, we are talking about a “Schumer shutdown” of our country because they lost the election.

#### NOMINATION OF TULSI GABBARD

Additionally, Mr. President, here we are on the floor of the Senate, and the Senate will vote soon on the nomination of Tulsi Gabbard to be the Director of National Intelligence. She has the right background, she has the right experience, and she has the right perspective to keep our Nation safe and to keep it secure.

Congresswoman Gabbard has served in uniform for more than 20 years. She deployed to the Middle East several times. She serves in the military today and was recently promoted to lieutenant colonel. As a Member of Congress for 8 years, she served on the Armed Services and Foreign Affairs Committees.

Her experience handling highly classified information is extensive. As Director of National Intelligence, she will handle classified information properly and lawfully. Congresswoman Gabbard is more than qualified to serve as the Director of National Intelligence.

Now, we have heard a lot of debate about her, but not one Senator has disputed the simple fact that she took a hard line on Russia and on Iran. In 2013, Congresswoman Gabbard cosponsored the Nuclear Iran Prevention Act. She wanted severe sanctions on Iran. Well, why would the Democrats not like that? Oh, because they were part of the group, with President Obama, who wanted to appease Iran. No wonder they oppose her now. She opposed the Iran deal. She viewed it as a threat to both America and to Israel. And she was right. In 2014, Russia annexed Crimea. President Obama rejected sending tank-busting missiles to Ukraine. Remember what he sent? He sent blankets. Blankets.

The sanctions that President Obama imposed against Russia were terribly weak. Congresswoman Gabbard argued for U.S. military assistance to Ukraine back then, and she called for painful sanctions against Russia, things that the Democrats and their President—Obama—at the time were unwilling to do.

Tulsi Gabbard never sought war with Russia, yet she never kidded herself, never would look back about the aggressive nature of Russia's ambitions. She worked to stop wars even though she served and was ready to fight in them. She knows what it means when we talk about peace through strength.

Democrats attacked her patriotism. They attacked her loyalty. It is disturbing. There is no evidence to support that. The attacks on her are another case of Democrats equating political disagreement with disloyalty.

If Washington wants to trust our intelligence Agencies again, we need to take an ax to the weaponization of these very Agencies. Congresswoman Gabbard will keep politics out of intelligence gathering. She wants to return ODNI to its original size, its scope, and its mission. She wrote in Newsweek:

I promise to provide unbiased, timely, and accurate intelligence for those making decisions to protect the people of our country.

That is exactly what we need.

Tulsi Gabbard is the right choice to be the Director of National Intelligence, and I look forward to voting to confirm her later today.

#### GRIZZLY BEARS

Now, Mr. President, on a different matter, one critically important to my home State of Wyoming, under the Constitution, most decisions affecting our lives are meant to be made at the local or the State level. But for decades, unelected, unaccountable, heavy-handed Federal bureaucrats have taken away decisions from the States. They have centralized power and ignored the local experts. We need to put the power back into the hands of the people and

the States. That is where it belongs. That is what our Founding Fathers envisioned.

A perfect example of this is the status of grizzly bears in Yellowstone National Park. The Yellowstone population of grizzly bears has been fully recovered—it was put on the endangered species list years and years ago, but it has been fully recovered for more than 20 years.

In Wyoming, we have invested more than \$50 million in this effort to make sure that the grizzly bears did fully and safely recover. Both Democrat administrations and Republican administrations have moved—have taken action to take the grizzly bear off of the endangered species list.

Wyoming has a strong, proven track record of science-based management of the bears. Today, grizzly bears in Yellowstone are thriving. They are thriving so much that they are now doing great damage to our livestock and to our wildlife.

In 2022, the U.S. Fish and Wildlife Service said that there was “substantial scientific or commercial information” to warrant local control—not the heavy hand of Washington but local control. Yet the grizzly bear remains under Washington's control, and that is despite the best data and our State's success.

This issue isn't science; it is politics. There are partisan, liberal judges who refuse to listen to scientific evidence. The evidence shows that the grizzlies are fully recovered. The previous administration didn't want to give up control. That is kind of how the Biden administration did it. So on its way out the door, in the final weeks, it threw sand in the gears of change. The Biden administration rejected, at the midnight hour, Wyoming's good-faith efforts and management plans. They did it just before leaving office. The decision was wrong. It was wrong for the grizzly bear population, and it was wrong for the people of Wyoming.

It is time for Wyoming—not Washington—to be in charge of managing the grizzly bears. In Congress, Senator CYNTHIA LUMMIS and Congresswoman HARRIET HAGEMAN and I introduced legislation to delist the grizzly bears. Our legislation would restore State management. It would put power back into the hands of the people who understand the situation the best.

We are also working with the Trump administration to take immediate action. Interior Secretary Doug Burgum is a supporter of delisting the grizzly bears. He agrees that local communities and States should be in control of these decisions. He said in his confirmation hearing:

There's a belief that when they come off of federal protection that they're unprotected. No, they're managed as all the other species in the state by the locals who've got the closest data.

Secretary Burgum is right, and I am glad that we finally have an administration that is ready to work with the people of Wyoming.