

and continued on his merry way in the sparkling midday of June 9, 1772. Behind him came the bigger, heavier, lumbering *Gaspee*, and it floundered and stuck on that sandbar. The tide was falling, so the *Gaspee* was going no place until the tide fell all the way to low tide and came all the way back up to the tide level at which it foundered and then raised farther enough to lift the vessel off where it was stuck.

When the *Hannah* got to Providence, her captain told the story of what had taken place. He described to the worthies on the Providence shore that the *Gaspee*—this dread vessel that had caused so much nuisance and cost to Rhode Islanders—was stuck.

That night, Rhode Islanders rode down from Providence to the *Gaspee* at night in longboats with muffled oars. As they approached the stuck *Gaspee*, Abraham Whipple, who was the local sheriff and was in the party, yelled out that he was there to arrest the captain of the vessel and arrest the vessel. Duddingston was not about to put up with that, so he called his crew up to the deck, called them to arms, and a battle ensued between the longboats surrounding the *Gaspee* and the *Gaspee* itself.

As the Rhode Islanders swarmed onto the *Gaspee*, among the gunshots was one that struck Captain Duddingston, so, injured, he surrendered his crew, and the Rhode Islanders captured—his rank was lieutenant; his position was captain. Captain Duddingston. Lieutenant Duddingston. They took him ashore with the crew and turned them all over to be held prisoner and detained. Then they went back out onto the bay, out to the stricken and stranded *Gaspee*, and they set her alight. When a ship burns, particularly a ship of that era, whose rope is covered with tar, whose rigging is canvas, whose structure is wood, with so many parts that are varnished and oiled, the combustion is rapid. And, as the *Gaspee* burned, the fire reached the *Gaspee's* powder magazine. And, when the fire reached the powder magazine, the gunpowder did what gunpowder does, and it blew the *Gaspee* to smithereens.

It is now about 4 in the morning on June 10, 1772. More than 4 years would go by before the Fourth of July Declaration of Independence; and, interestingly, more than a year and a half would go by until another event—that is much more prominent even though much less brave and significant—took place, and that is the so-called Boston Tea Party.

Now, I have nothing against my friends from Massachusetts, but they got drunk; they went onboard a civilian ship. They seized bales of tea, and they pushed the tea bales into Boston Harbor. Well, bully for them, but well more than a year earlier, Rhode Islanders had seized a vessel of Her Majesty's Navy; had captured the crew; and had blown the damned boat up, and I think that deserves a little credit. So I come here every year. When I go home this

weekend, we will be marching in the Gaspee Days Parade that goes by Namquid Point—now called Gaspee Point—where an annual celebration takes place.

And I want to make sure that all of the pages who are here know that, when they hear about the Boston Tea Party, they should know to scroll back 18 months to a bolder, more violent, and more remarkable engagement by Rhode Island.

The aftermath was immediate. King George was furious. He demanded that everyone involved be hanged, and he sent commissioners to come and root out who the miscreants were who had participated in the raid on the *Gaspee*. And here is what is interesting. There are probably five long boatloads of Rhode Islanders—enough to overwhelm the crew of the *Gaspee*—and enormous rewards were offered for people to cooperate and testify against their comrades—against all that pressure from the King, against all that inducement of reward. In Rhode Island, no one squealed. The commissioners went home emptyhanded. The nooses hung empty. That was the second conclusion. The blowing up of the vessel was one thing. The solidarity of not yielding to testify against their fellow colonists was the other.

So I will read my poem about this event with apologies to the ride of Paul Revere.

Listen, my colleagues, and you shall see  
How Rhode Islanders blew up the dread  
*Gaspee*.

Great Britain was fearsome, she ruled the sea,

But Rhode Islanders burned with the fire  
to be free.

So when George sent his frigate to tax our coast,

And its arrogant captain was heard to boast

That he'd soon have Rhode Island under his sway,

[Well] a course was set for a fateful day.  
Narragansett Bay sparkled bright and blue  
June 9 of 1772.

The trading ship *Hannah* was making her way

With cargo for Providence that fine day.  
King George's *Gaspee* pursued in chase,

But the *Hannah* decided to give her a race.  
Away fled the *Hannah* with wind in her sails,

As the *Gaspee's* cannon fired from its rails.  
Evading the *Gaspee's* cannon balls,

The *Hannah* sailed for the Namquid shoals.  
Fast and light, *Hannah* crossed the shallow,

But when the *Gaspee* attempted to follow,  
She ran aground on the Warwick shore,

In a falling tide, and could move no more.  
That night dark longboats with muffled oars,

Came slipping quietly down the shore,  
To rid our Bay of the dread *Gaspee*,

And show old King George that Rhode Island [would be] free.

The battle was fierce off Warwick Neck.  
When the gunsmoke cleared from the *Gaspee's* deck,

The Rhode Islanders had her as their prize,  
And her crew bound up in chains and ties.

When the crew was ashore, Pawtuxet's Rangers

Assured they'd present us no further danger.

Back to the Bay, in the dark of the night,  
Went the *Gaspee* Raiders to set her alight.  
The fire spread through the Raiders' prize,  
'Til a blast filled the Narragansett Bay skies.

The fire had reached the *Gaspee's* magazines,

And her gunpowder blew her to smithereens.

Away sped the Raiders into the dark,  
Leaving in the embers freedom's spark.

"I want their names!" King George demanded,

And ordered the Raiders be apprehended.  
But his call for hangings came to naught:

His nooses hung empty; no charge was brought;

Because never a traitorous tale was told.  
Rhode Island stood steady and silent and bold.

The spark that was struck in the *Gaspee* Raid

Lit a flame that still burns in our hearts today.

And the lesson from then is a lesson now,  
That every American still will avow.

"However majestic your powers be,  
You should heed our warning: don't tread on me."

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### WHISTLEBLOWERS

Mr. GRASSLEY. Mr. President, today, I come here to speak about one of my favorite topics: protecting patriotic people that we call whistleblowers, people whose goal is, in government, to make sure that laws are faithfully enforced and money spent according to the way it should be, and sometimes these whistleblowers pay a price for doing that, even losing their job and ruining themselves professionally.

I have conducted longstanding oversight to ensure the Federal Government complies with whistleblower protection laws, and some of those laws I have gotten on the books.

Unfortunately, elements of the Federal Government—whether Republican or Democrat—have made efforts to silence whistleblowers through illegal nondisclosure agreements.

Let's not forget that in addition to Federal statute, a fundamental precept of whistleblowing is the First Amendment, freedom of speech. That is why I spearheaded a very successful effort to get what is called anti-gag provisions enacted in the law. I worked a very long time to make anti-gag provisions law. The anti-gag provisions require all Federal Agency nondisclosure policy forms and agreements to notify employees of their right to blow the whistle to Congress, to inspectors general, and to the Office of Special Counsel.

The failure to comply with the law isn't only a chilling effect that discourages whistleblowers, it is also illegal.

For decades, my oversight efforts have successfully led Federal Agencies bringing their unlawful nondisclosure and similar agreements into compliance. And I will tell you this: It is amazing that after all these years, the Federal Government still—still—has problems with compliance with my anti-gag legislation.

That is why Congress must continue to do constant oversight.

So this is what brings me to the floor today. On May 26, this year, the Office of Personnel Management—OPM for short—published a notice with requests for comment in the Federal Register. That notice announced that OPM created a draft nondisclosure agreement form for use by Federal Agencies for both new and existing employees.

According to the Office of Personnel Management, this governmentwide nondisclosure agreement is needed to protect confidential information from unauthorized disclosure. In other words, this new proposed regulation is supposed to stop what we call leaks in this town. Office of Personnel Management provided examples of recent leaks to the media about law enforcement and military operations that put the lives of our Federal officers and military members at risk.

It is truly unacceptable when the unauthorized disclosure of information puts the lives of law enforcement and military personnel at risk. Full stop.

It is important to note the distinction between leaks and whistleblowers. Legally protected whistleblower disclosures are not leaks. Legally protected whistleblower disclosures aren't unauthorized disclosures. It can be a fact-specific analysis to determine which side of the line a disclosure falls on. But during that analysis, the benefit must be given to the patriotic whistleblower.

Now, turning to the text of the Office of Personnel Management draft disclosure form, it works this way: It contains an anti-gag provision but doesn't include the full text as required by law. So it should have the full text of the law that got passed. It fails, also, to include that disclosures to the Office of Special Counsel are allowed. And that is in the law as well.

Further, the anti-gag provisions are at the very beginning of the form rather than at the end like other government nondisclosure agreements, where people that are signing the agreement know what their rights are. As a general matter, I am concerned about the use of nondisclosure agreements because they can chill whistleblowers, even if that is not the intent of the nondisclosure agreement.

I demand that the anti-gag provisions be put at the end, where employees sign. At the end will provide the employee with the mental assurance that they are not giving up their whistleblower rights.

Again, the balance must always be on the benefit of the whistleblower because we shouldn't be doing anything in this government to discourage honest whistleblowing.

As I continue to analyze the draft rule this month, 2026, I wrote to the Office of Personnel Management Director making clear that they need to immediately fix these preliminary issues, have the nondisclosure just above the signature, mention the Office of Special Counsel, and also put the entire language of the legislation in the document.

If the draft nondisclosure form is implemented, Congress, of course, should follow up with oversight to ensure that it is not used inappropriately.

And this Senator intends to do that oversight for sure.

#### U.S. SUPREME COURT

Mr. President, now on another matter, I want to address the recent threat to the Supreme Court made by Democratic Members of the Congress.

Last week, a major newspaper published a piece with a simple title: "Democrats Promise to Wreck the Supreme Court."

Now, if you have been around this town a while, that is not hyperbole; it is a fact. Today, I want to tell the American people what is really going on because what House Democrats are proposing to do to the Supreme Court is not reform. It is a power grab disguised as institutional concern.

So let's start with the facts. House Democratic leadership has called the Supreme Court a "disgrace" and said that if Democrats take back the Congress in the midterm elections this year, "[e]verything is on the table."

Why? Because House Democrats don't like the way this Court rules, and it is that plain and simple.

And for those asking what House Democrats mean by "[e]verything is on the table," well, they have already told us. They are calling for four new Justices to be added to the Supreme Court. In other words, they want to pack the Court by adding new activist judges—in the case of the Supreme Court, Justices—who will rule the way that they want, not the way the Constitution demands.

Court packing is not oversight. Court packing is not reform. That is a direct threat to what we ought to honor in the judicial branch of government. Packing would undo judicial independence that we expect out of our Supreme Court.

House Democrats aren't alone either. Very recently, Democrats in Virginia recently threatened to pack their own State supreme court to circumvent a ruling that they didn't like. Another example is Kamala Harris. The Democratic Party 2024 Presidential nominee recently floated the idea of Democrats packing the Supreme Court as part of a—in her words—"no bad idea brain-storm."

House Democrats have said that 4 new Justices are needed—expanding the Court from 9 to 13—because the number of Justices should match the number of Federal appellate circuits. That might make sense if the Supreme Court hadn't operated with nine Justices since 1869—that is for over 150 years. And it also might make sense if we hadn't had 10 Federal circuits since all the way back to 1929—obviously, nearly 100 years ago. Additional circuits haven't been a reason to add Justices for nearly a century, and it is not a reason for doing it today.

The proposed rationale given by House Democrats then is a diversion.

Their objective is very clear. They want to add new Justices to the Supreme Court and appoint them under a Democrat President.

So why would they want to do that? Because four new Justices are the exact amount that they think they need to secure a liberal majority on the Court.

And what makes House Democrats' objective even more clear is their timing. Are they asking for these new Justices to be added right now? Of course not. If they were added now, President Trump would be making those appointments.

The fact that House Democrats aren't calling for new Justices today tells you everything that you need to know about the motive of Democrats packing the Supreme Court. Now, I would like to give House Democrats a history lesson. President Franklin Delano Roosevelt, a Democrat, attempted to pack the Supreme Court in 1937. That attempt failed, and it failed in a Democratic-controlled Congress—overwhelmingly Democrat controlled in the 1930s. Yet here we are nearly a century later, and Democrats are back trying to pack the Court again.

House Democrats knew that Court-packing was a bad idea in 1937, and, of course, they seem to have forgotten that wisdom in 2026.

The American people have the right to know the truth behind all of this. House Democrats aren't upset about judicial ethics or institutional integrity. They are upset because the Supreme Court is doing its job, and that job is applying the Constitution, as written, rather than applying the Constitution as House Democrats wish that it was written. They want the Supreme Court that will deliver the outcomes that they want, not the outcomes that the Constitution commands. And since House Democrats can't get their preferred outcomes through the democratic process here in the Congress of the United States, they want to rig the Supreme Court to ensure that they never lose, and that is not how our representative form of government works.

When it comes to the House Democrats' lack of concern about actual judicial oversight, there is a real-world example that proves my point. Right now, there is a sitting Federal judge embroiled in a genuine scandal. An official judicial investigation found that this judge carried on a years-long extramarital affair, which included intimate encounters in her judicial chamber during work hours and within earshot of her law clerks. When investigators, including the Chief Judge of the Eleventh Circuit questioned her, she lied about it; and if that wasn't enough, the investigation also uncovered that the judge attended a partisan political event in violation of judicial conduct efforts.

What was the result of this investigation? Nothing but a private reprimand. In fact, a slap on the wrist. She still remains on the bench.