

But as you celebrate the Fourth of July, I hope you will take a moment. Think back about your childhood experiences that helped you understand what it means to be an American and that helped you confront the challenges and the opportunities we have ahead of us.

For me, living overseas and seeing our country from the perspectives of others was that great chance. And I think, for all of us, in recent days, seeing people from all over the world come to America during the World Cup and experience our Nation, our hospitality, and our values has been a refreshing reminder that, even in these divided and difficult times, we can continue to inspire and challenge ourselves and the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

UNANIMOUS CONSENT REQUEST—S. 4876

Mr. WARNER. Mr. President, first of all, I want to thank my friend from Delaware. I am going to take that admonition, as we approach the Fourth of July, and reflect back on, obviously, what makes this country great.

Mr. President, I rise today to ask for unanimous consent on my bill to reassert congressional will when it comes to the Office of the Director of National Intelligence.

My bill, the Do Not Interfere in Our Intelligence Act of 2026, or the DNII Act of 2026, would strengthen the existing line of succession if the position of the Director of National Intelligence is vacant and ensure that the leadership of the intelligence community remains in the hands of experienced Senate-confirmed national security officials.

As my colleagues have heard me say repeatedly, the President's appointment of Bill Pulte to be the Acting DNI is dangerous. It is dangerous for the rule of law. It is dangerous for our national security.

The ODNI was created in the aftermath of the tragic terrorist attacks of 9/11. Its purpose was to make sure that the now-18 intelligence Agencies actually coordinated with each other, so we didn't have the kind of intelligence missteps that led to the most devastating terrorist attack on our country in the history. And, thus far, thank God, we have not had another 9/11.

And because of its important mission, when Congress created the ODNI, an effort championed by my good friend SUSAN COLLINS, it codified into law—we didn't leave any ambiguity—it codified into law that the Director of National Intelligence must have extensive national security experience. It doesn't matter whether that comes from military service, being an intelligence officer, being a Member of Congress on a national security committee, or heading an Agency that deals with national security. You just have to have the experience and the judgment to lead 18 intelligence Agencies and understand their mission.

Unfortunately, Trump's choice Bill Pulte has literally no national secu-

rity experience. In fact, it seems like the only experience he has—and the only reason President Trump installed him as the DNI—is leaking and weaponizing sensitive information for political purposes. He is and currently remains the head of our mortgage regulatory Agencies. So that kind of person can absolutely not have access to all our Nation's most sensitive secrets.

If you think we were, like, just making it up, look at the pressure points so far. The guy has gone in for a few days. There are reports of firings. I don't even know how he knows who the people who are being fired or reassigned are.

We have heard, as well, that he wants to take home the Presidential daily brief. Anybody—the most junior aide in national security—knows you don't take classified information to your private residence. But in a very kind of way that reflects some of the folks around the President, the one thing he was most interested in: When is he going to get a government plane, paid for by taxpayer dollars, so he can zip between DC and his house in Chicago and his place near President Trump in Florida? Remember, those are your taxpayer dollars at work.

And on these concerns about Mr. Pulte, don't take my word for it. So many Republican colleagues of mine have also publicly expressed their concerns, many of them explicitly expressing surprise at his nomination and calling him unqualified.

But that is not the only place where President Trump has decided to ignore Congress and the law creating the Director of National Intelligence. The law also explicitly states that, in the event there is an absence of a Senate-confirmed Director, "the Principal Deputy Director of National Intelligence"—that is the No. 2—"shall act for, and exercise the powers of, the Director of National Intelligence"—not "may" or "if the President wants." The word is "shall."

And the interesting thing is, there is currently a Senate-confirmed Principal Deputy whom President Trump himself nominated. This gentleman, Mr. Lukas—I may not agree with all the things that Mr. Lukas has suggested, but there is no question, given his decades of patriotic service as a national intelligence officer and on President Trump's own National Security Council staff, that he has the experience and qualifications to serve as the Acting DNI.

So then, once again, I must ask: Why, when there is a qualified individual—one President Trump himself nominated—would President Trump ignore the law and install Bill Pulte?

The only answer is the one that President Trump has actually admitted to. He said the quiet part out loud, which is that he trusts Bill Pulte to recklessly divulge America's secrets—even if it harms our national security—all in the service of the Big Lie and his obsession that he can't get over the fact that he lost the election in 2020.

So my bill is quite simple. So I ask unanimous consent—let's make it explicitly clear that, if the Office of the Director of National Intelligence becomes vacant, you put in place the Principal Deputy or someone else who has got intelligence experience that has been confirmed by the Senate.

We have to do this before Mr. Pulte irreversibly harms our national security.

Mr. President, now, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 4876, introduced yesterday; that the bill be considered read a third time and passed; and that the motion to reconsider be made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Arkansas.

Mr. COTTON. Mr. President, the Office of the Director of National Intelligence was formed after the 9/11 attacks, understandably, to try to address some of the failures that led to those attacks. Unfortunately, I think we can now assess, a couple of decades on, that it is something of a failed experiment itself.

I remember my first days on the Intelligence Committee, when I sat far down the dais from the distinguished vice chairman, and an ODNI aide came in to brief us about a new fusion cell they had created to fight against the Islamic State. And one of our senior members, Dan Coats, who later himself became the DNI, observed that he was concerned that, with the growing bureaucracy at the ODNI, pretty soon they would need a fusion cell for their fusion cells.

Now, the vice chairman and I largely agree that the ODNI needs to be downsized and streamlined, that it does perform some important functions. We may not agree on every single particular. I think many of those functions could be performed elsewhere.

But I have had an opportunity to speak, in the last few days, with Acting Director Pulte. He agrees in those general terms with us that we need to return the ODNI to its original size, scope, and mission by spinning off some of these functional centers and sending intelligence officers who have been detailed there back to their home Agencies so they can do actual intelligence work. And if he continues the work that the vice chairman and I have begun through the annual Intelligence Authorization Act and that Director Gabbard started to carry out, I think that is a win for our national security.

The vice chairman cited various media reports about Director Pulte. I can't comment on all of them. It won't shock anyone to know that I don't take CNN or the Washington Post as ironclad as the Lord's Scripture. But there is one media report that I will comment on, since I discussed it with Director Pulte: the claim that mass firings had begun. That is not accurate. He informed me that, yes, a small

handful of front-office personnel are leaving Federal employment, which is not at all uncommon when a senior leader leaves an Agency or one comes into an Agency. But a small handful—maybe counted on one hand, maybe two hands. He also said that a few dozen—around 45 or 50—career officers are, in fact, returning to their home Agencies. I think that is a step in the right direction. It is less than 5 percent of the DNI's personnel. I might put a zero after that 5. I might put a 7 in front of that 5 in terms of how many personnel need to go back to their home Agencies.

A second point, if Director Pulte can, in fact, take these steps in the right direction, I think that can benefit Jay Clayton, once he is confirmed. Mr. Clayton will be able to inherit an organization that has already been downsized, and he can hit the ground running on day one to continue that work and to ensure that the DNI is promoting our intelligence community's important work, not hindering it.

A third point, as President Trump has said, Jay Clayton is a patriot, and he will make a great DNI once confirmed. I intend to hold a hearing for Mr. Clayton in the weeks ahead. As the vice chairman knows, it is not just our committee that moved at a very rapid pace to confirm Mr. Clayton to this new post. I want to thank President Trump and the Trump administration for moving at lightning speed as well. The FBI finished its background check in record time. The intelligence community and the Department of Justice helped Mr. Clayton through hundreds of advanced policy questions in record time. Even the President's own White House Counsel's Office completed Mr. Clayton's work in record time.

Of course, the backdoor here is the lapse in authorization for section 702 of the Foreign Intelligence Surveillance Act. The vice chairman and I have worked well together to craft a bill that can get 60 votes in the Senate, 218 or more votes in the House. I wish we could simply pass that bill. I think it is regrettable that Minority Leader SCHUMER and Minority Leader JEFFRIES have linked together reauthorization of section 702 with the confirmation of an official to a position that really has very little to do with section 702 or, for that matter, with operational activities of the intelligence community at large.

So with those observations, I do, in fact, object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Virginia.

Mr. WARNER. Mr. President, just a few closing comments.

The chairman and I are working very well together. I know he has probably taken some heat, so I don't want to say too many good things about him on the floor for working so well together.

I would simply point out the part he left out about Mr. Clayton, when we were trying to move fast and the White

House was moving fast and everything—all the paperwork—was done. We had a scheduled hearing for Mr. Clayton. I was even getting some of our most ferocious opponents to 702 to probably waive some of their objections.

And at the last minute, with no notice to our committee or even to Mr. Clayton, the President pulled his nomination. I have never heard of a President complaining about moving too quickly on one of his nominees.

On the size of the DNI, the chairman and I, we are working together. I even am open to the notion that the office could be obliterated or removed or potentially repurposed somewhere else. Again, that makes sense. But it ought to be done in an orderly fashion. It ought to be done by somebody with national security experience. It ought to be done not in a way where he comes in on the first day—how did he even know whom to fire?

So, again, we will agree to disagree on that, but—boy oh boy—let's do it the right way.

And, again, I do hope—I look forward to asking Mr. Clayton questions. But I know him, and I think he is—I know he respects the Constitution, which is my first question to anybody. And I would point out—and I am absolutely in favor of renewing 702 quickly—the good news, though, is that the communication providers are still working with us; we have not gone dark.

But I agree with the chairman that we need to move as quickly as possible. But everybody has been pretty clear on this: We have to get a real DNI in that office before we get that reauthorization.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I ask unanimous consent that I be allowed to speak for 1 minute on the upcoming vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF JOHN GEORGE EDWARD MARCK

Mr. COONS. Mr. President, I serve on the Senate Judiciary Committee. I am a proud member of the Delaware bar. I clerked for a Federal court. And in a recent confirmation hearing, I asked four different nominees to serve as Federal district court judges a simple question: What does the 22nd Amendment to the U.S. Constitution provide?

None of them could answer, so I helped them. In summary, it says you can't serve three terms as President. Once elected twice, you may not serve a third term—adopted after Franklin Delano Roosevelt served four terms. Its text and intent are simple and clear.

I questioned all four: Can you tell me whether President Trump can serve a third term, given the language of the 22nd Amendment?

All four refused. They could not find the courage to say: Yes, as a simple matter of fact and constitutional law, on the plain text, President Trump is

in his second term; he cannot serve a third.

Why? Why would anyone fail to answer this simple question? I believe it is because they were terrified, if they did, President Trump would pull their nomination.

No one should be confirmed—no one should be confirmed—to a lifetime judicial appointment who cannot summon the most simple courage to apply the text of the Constitution.

I will vote against all the nominees before us today because of their failure to answer simple textual questions about the meaning and purpose of our Constitution. If you are too afraid of the President to answer whether the 22nd Amendment, by its plain text, means he can't run and win a third time, how will you be an independent judge, and how could you possibly deserve a lifetime appointment?

I urge my colleagues to stand up to this and to insist on an independent Federal judiciary.

With that, I yield the floor.

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 senior assistant executive 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. 780, John George Edward Marck, of Texas, to be United States District Judge for the Southern District of Texas.

John Thune, Tim Sheehy, John Barrasso, Ashley B. Moody, James Lankford, Todd Young, Ted Budd, Pete Ricketts, Jon A. Husted, Mike Crapo, Mike Rounds, Tim Scott of South Carolina, Bernie Moreno, John Cornyn, Chuck Grassley, James C. Justice, Eric Schmitt.

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 John George Edward Marck, of Texas, to be United States District Judge for the Southern District of Texas, 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. BARRASSO. The following Senator is necessarily absent: the Senator from Kentucky (Mr. MCCONNELL).

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET) and the Senator from California (Mr. SCHIFF) are necessarily absent.

The yeas and nays resulted—yeas 52, nays 45, as follows:

[Rollcall Vote No. 185 Ex.]

YEAS—52

Armstrong	Barrasso	Boozman
Banks	Blackburn	Britt