

While he served as chairman of the Judiciary Committee, he oversaw the confirmation of a Supreme Court Justice and more than 200 Federal judges committed to upholding the rule of law as our Founders intended.

Further, Lindsey knew that strength produces peace and prosperity, and he believed that the United States is the greatest force for freedom that mankind has ever known. Through every bill he introduced, every speech he gave, every statement he made, Lindsey ensured our allies knew our word was good and our enemies feared our resolve. If you loved America, Lindsey loved you. If you fought for freedom, Lindsey would fight for you.

Only in America could a man like Lindsey Graham leave such a mark on our history and our future. That above all is a testament to his strength of character. Lindsey's unwavering love for our Lord, devotion to our country, and commitment to his family defined his entire life. He was an example of what makes America exceptional.

Though we lost a dedicated public servant, a workhorse of a colleague, and an irreplaceable friend, his memory and his legacy will never be forgotten. I extend my deepest prayers, thoughts, and condolences to DARLINE, Lindsey's family, Lindsey's staff, his friends, and his loved ones.

America and this Senate will forever be grateful to Senator Lindsey Graham for his lifetime of service, patriotism, and courageous leadership.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Ms. ERNST. Mr. President, I rise today with a heavy heart to honor my dear friend and colleague Senator Lindsey Graham of South Carolina.

Before he ever set foot on this floor, he wore the uniform of the U.S. Air Force, serving 33 years between the Air Force, the South Carolina Air National Guard, and the Air Force Reserve. That service and his upbringing in the back of his parents' South Carolina bar shaped everything about how he approached his work here in the Senate. He understood, in a way too few in Washington, DC, do, what it costs to defend freedom. He was one of the loudest, most persistent voices this institution has seen on the importance of American leadership in this world.

And before I joined the Senate, Lindsey was one of my earliest supporters. I am so grateful for his mentorship and his friendship throughout the years. Lindsey was really dear to my family. My mother's birthday was just a few days before Lindsey's, and through the years, he would call her on her birthday and wish her the happiest of birthdays. As my daughter entered the U.S. Army, he would call her and just give her words of encouragement—in the hilarious way that only Lindsey Graham could.

He was such a good and decent man.

One thing we all knew about Lindsey was his great sense of humor. I will

never forget the gift he gave me after I won Iowa's Senate seat. In fact, I may be the only Senator in history to be handed a mounted castration clamp with a plaque engraved "Make 'Em Squeal, Joni!" just off the floor of this Chamber, courtesy of Lindsey Graham. And I think he is probably still laughing about that one.

Earlier this year, we were talking about Lindsey, doing dinner with Lindsey, as many of us did, and we were talking about this year's race because he was running for another term in the Senate. And my mother, again, being very close to Lindsey and his No. 1 fan in Iowa—in fact, she had a screen saver on her computer. It was her and Lindsey Graham. If you asked my mother who her favorite Senator was, it wouldn't be Senator CHUCK GRASSLEY or even her own daughter; it would be Senator Lindsey Graham.

She was agonizing: Should I send Lindsey a donation for his campaign? And I was laughing about this with Lindsey.

So he was like: Give me your phone.

He said: Let's shoot a video for your mom.

And so he took my phone, and he made this cute little 10-second video. And it went something like this: Marilyn, we love you. We love Joni. I know times are hard, but send money anyway. Lindseygraham.com.

He did that all the time, and he was always so funny. And I can't tell you how many times I have watched that video, over and over again, and just laughed.

He was certainly a very funny man, even when times were difficult, but behind the jokes was one of the most serious and effective legislators this body has ever known. He didn't care whose name was on a bill if the policy was right. He brokered friendships and alliances that many in this town said were no longer possible. He fought hard, and then he would sit down and crack a joke with the people that he had just been arguing with.

All of us here on this floor know that Lindsey was always moving. The man never stood still. He was always working the phones—phone call after phone call—whether it was President Trump or my mom back in Iowa. He was always certain that presence was power.

I had the privilege of traveling many times over with Lindsey. The very first codel, which is a congressional delegation trip, that I took in the U.S. Senate was with Lindsey. It was to the Munich Security Conference in Germany. The other Senators on that trip were former Senator Joe Lieberman, a dear friend of his; Senator John McCain, who was his deepest and truest friend; and Senator Kelly Ayotte. We had a wonderful trip together. And it was such a great experience for me to see him on the world stage, easily moving from conversation to conversation with some of the world's most important and powerful leaders, and to see how much they deeply respected Senator Graham.

His contributions to conflict resolution went well beyond the United States. Just days ago, Lindsey was in Ukraine meeting with President Zelenskyy and standing with a nation fighting for its survival because he believed at his core that American leadership was the difference between peace and oppression.

Lindsey Graham was tough, he was funny, and he loved this country.

To the people of South Carolina and to Lindsey's family and, most especially, to his sister DARLINE and all who loved him, we are all mourning together. As a Christian like Lindsey, I know God will bring comfort where there is fear, strength where there is shock, and hope where there is loss.

Lindsey, we miss you, and this Chamber will never be the same without you. Godspeed, my dear friend, and thank you for your service.

I yield the floor.

NOMINATION OF MATTHEW A. SCHWARTZ

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm Matthew A. Schwartz to the U.S. Court of Appeals for the Second Circuit.

Mr. Schwartz joins the growing line of Trump personal lawyers who have been nominated to the bench during Trump's second term.

Even as we consider his nomination, Mr. Schwartz is actively representing the President in two cases on appeal: Trump's 34-count conviction in the Stormy Daniels hush money case and the \$464 million judgment against him, his family members, and businesses for inflating business assets.

During his hearing, Senator BOOKER asked Mr. Schwartz about the President's reported outstanding \$400,000 debt to Sullivan & Cromwell, an obvious conflict of interest. Mr. Schwartz downplayed that sum as "an extraordinarily small amount."

Mr. Schwartz also represented Tesla in its successful appeal of a judgment from the Delaware Court of Chancery voiding Elon Musk's \$50 billion compensation package.

While Musk raked in the billions Mr. Schwartz helped secure, he took a chainsaw to nearly every aspect of our government.

For these reasons, I will be opposing Mr. Schwartz's nomination.

The PRESIDING OFFICER. The minority whip.

Mr. DURBIN. Mr. President, I ask unanimous consent that the scheduled vote start immediately.

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

VOTE ON SCHWARTZ NOMINATION

The question is, Will the Senate advise and consent to the Schwartz nomination?

Mr. DURBIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from West Virginia (Mr. JUSTICE) and the Senator from Kentucky (Mr. MCCONNELL).

Mr. DURBIN: I announce that the Senator from Pennsylvania (Mr. FETTERMAN) and the Senator from California (Mr. PADILLA) are necessarily absent.

The result was announced—yeas 50, nays 45, as follows:

[Rollcall Vote No. 194 Ex.]

YEAS—50

Armstrong	Ernst	Moreno
Banks	Fischer	Murkowski
Barrasso	Grassley	Paul
Blackburn	Hagerty	Ricketts
Boozman	Hawley	Risch
Britt	Hoeben	Rounds
Budd	Husted	Schmitt
Capito	Hyde-Smith	Scott (FL)
Cassidy	Johnson	Scott (SC)
Collins	Kennedy	Sheehy
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Cramer	Lummis	Tillis
Crapo	Marshall	Tuberville
Cruz	McCormick	Wicker
Curtis	Moody	Young
Daines	Moran	

NAYS—45

Alsobrooks	Hickenlooper	Rosen
Baldwin	Hirono	Sanders
Bennet	Kaine	Schatz
Blumenthal	Kelly	Schiff
Blunt Rochester	Kim	Schumer
Booker	King	Shaheen
Cantwell	Klobuchar	Slotkin
Coons	Lujan	Smith
Cortez Masto	Markey	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Gallago	Murray	Warren
Gillibrand	Ossoff	Welch
Hassan	Peters	Whitehouse
Heinrich	Reed	Wyden

NOT VOTING—4

Fetterman	McConnell
Justice	Padilla

The nomination was confirmed.

The PRESIDING OFFICER (Mr. ARMSTRONG). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The Senator from Alabama.

WAIVING QUORUM CALL

Mr. TUBERVILLE. I ask unanimous consent to waive the mandatory quorum call with respect to the motion to proceed to Calendar No. 436, S. 4784.

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

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:52 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. SCHMITT).

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

CERTIFICATE OF APPOINTMENT

The PRESIDENT pro tempore. The Chair lays before the Senate the certificate of appointment to fill the vacancy created by the death of Lindsey O. Graham of South Carolina. The certificate, the Chair is advised, is in the form suggested by the Senate.

If there is no objection, the reading of the certificate will be waived, and it will be printed in full in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF SOUTH CAROLINA

CERTIFICATE OF APPOINTMENT

To the President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of South Carolina, I, Henry Dargan McMaster, the governor of said State, do hereby appoint Darline Graham a Senator from said State to represent said State in the Senate of the United States until the vacancy therein caused by the death of Lindsey O. Graham, is filled by election as provided by law.

Witness: His excellency our governor Henry Dargan McMaster, and our seal hereto affixed at the State Capitol this 13th day of July, in the year of our Lord 2026.

By the Governor:

HENRY D. MCMASTER,
Governor.

MARK HAMMOND,
Secretary of State.

[State Seal Affixed]

ADMINISTRATION OF OATH OF OFFICE

The PRESIDENT pro tempore. If the Senator-designate will now present herself at the desk, the Chair will administer the oath of office.

The Senator-designate, DARLINE GRAHAM, escorted by Mr. SCOTT of South Carolina and Mrs. BRITT, advanced to the desk of the President pro tempore; the oath prescribed by law was administered to her by the President pro tempore; and she subscribed to the oath in the Official Oath Book.

The PRESIDENT pro tempore. Congratulations, Senator.

(Applause, Senators rising.)

CLOTURE MOTION

The PRESIDING OFFICER (Mrs. HYDE-SMITH). 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 motion to proceed to Calendar No. 436, S. 4784, a original bill to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

John Thune, Roger F. Wicker, Tim Sheehy, Mike Rounds, Jon A. Husted, Steve Daines, Bill Hagerty, Tim Scott of South Carolina, Shelley Moore Capito, Bernie Moreno, Cindy Hyde-Smith, James C. Justice, Jim Banks, John Boozman, Cynthia M. Lummis, John Cornyn, John R. Curtis.

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 motion to proceed to S. 4784, a bill to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from West Virginia (Mr. JUSTICE) and the Senator from Kentucky (Mr. MCCONNELL).

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. FETTERMAN) and the Senator from California (Mr. PADILLA) are necessarily absent.

The yeas and nays resulted—yeas 50, nays 46, as follows:

[Rollcall Vote No. 195 Ex.]

YEAS—50

Armstrong	Ernst	Moran
Banks	Fischer	Moreno
Barrasso	Graham	Murkowski
Blackburn	Grassley	Paul
Boozman	Hagerty	Ricketts
Britt	Hawley	Risch
Budd	Hoeben	Rounds
Capito	Husted	Schmitt
Cassidy	Hyde-Smith	Scott (FL)
Collins	Johnson	Scott (SC)
Cornyn	Kennedy	Sheehy
Cotton	Lankford	Sullivan
Cramer	Lee	Tillis
Crapo	Lummis	Tuberville
Cruz	Marshall	Wicker
Curtis	McCormick	Young
Daines	Moody	

NAYS—46

Alsobrooks	Hirono	Schatz
Baldwin	Kaine	Schiff
Bennet	Kelly	Schumer
Blumenthal	Kim	Shaheen
Blunt Rochester	King	Slotkin
Booker	Klobuchar	Smith
Cantwell	Lujan	Thune
Coons	Markey	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Gallago	Ossoff	Welch
Gillibrand	Peters	Whitehouse
Hassan	Reed	Wyden
Heinrich	Rosen	
Hickenlooper	Sanders	

NOT VOTING—4

Fetterman	McConnell
Justice	Padilla

The PRESIDING OFFICER (Mr. BANKS). On this vote, the yeas are 50, the nays are 46.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.