



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 119th CONGRESS, SECOND SESSION

Vol. 172

WASHINGTON, FRIDAY, JANUARY 30, 2026

No. 22

Senate

The Senate met at 11 a.m. and was called to order by the Honorable JOHN BARRASSO, a Senator from the State of Wyoming.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, from whom we come, to whom we belong, and in whose service is our peace, may Your Kingdom come. Lord, use our lawmakers to do Your will on Earth as it is done in Heaven. Create in them courageous hearts that will be undaunted by fear, unconquered by adversity, and unstained by sin.

Provide our Senators with the wisdom to remember Your words in Matthew 7:12:

Therefore, whatever you want people to do to you, do also to them.

Strengthen our lawmakers to lift downcast lives, hopeless hearts, and grieving spirits.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. GRASSLEY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, January 30, 2026.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JOHN BARRASSO, a Senator from the State of Wyoming, to perform the duties of the Chair.

CHUCK GRASSLEY,
President pro tempore.

Mr. BARRASSO thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

CONSOLIDATED APPROPRIATIONS ACT, 2026—Motion to Proceed—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 7148, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 302, H.R. 7148, a bill making further consolidated appropriations for the fiscal year ending September 30, 2026, and for other purposes.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

APPROPRIATIONS

Mr. SCHUMER. Mr. President, as the Senate gavels into session, Members are working on moving forward on a deal to fund the government and working on legislation desperately needed to rein in ICE's abuses.

If Republicans are serious about the very reasonable demands Democrats have put forward on ICE, then there is no good reason we can't come together

very quickly to produce legislation. It should take less than 2 weeks because what we are asking for is very simple, and our Republican colleagues know that we need to make changes. Now, time is of the essence.

Senate Democrats are very clear on what the Nation needs right now. First, we need to rein in ICE and end the violence. That means ending roving patrols. It means requiring rules, oversight, and judicial warrants. Second, we need real accountability over ICE and Border Patrol. And, third, masks need to come off, cameras need to stay on, and officers need visible identification—no secret police.

These are not radical demands. They are basic standards the American people already expect from law enforcement. I hope we can get voting quickly here in the Senate, today, so we can move forward on the important work of reining in ICE. The clock is ticking, the Nation is waiting, and the abuses of ICE must come to an end.

DON LEMON

Mr. President, on another issue, last night, Federal agents arrested journalist Don Lemon in Los Angeles after he recently covered protest activities in Minnesota.

Once again, the administration is behaving no differently from the police states and authoritarian regimes across history. They arrested a journalist for the crime of doing his job.

Let's be very clear. This arrest is not just about one journalist and one incident. The arrest is a dark message to journalists everywhere: If you dare criticize this administration, watch your back.

That is not a democracy. That is a police state, and that is pure authoritarian bile. Democracy will suffer if the government chokes our civil liberties.

Under this administration, the Department of Justice has, all too often, become the "Department of Vengeance."

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S401

Don Lemon should be released at once, and the frivolous charges against him dropped.

FEDERAL RESERVE

Mr. President, on the Fed, this morning, President Trump announced he has chosen Kevin Warsh to serve as the next Chair of the Federal Reserve. This announcement comes as a dark cloud hangs over the Fed.

Over the last year, Donald Trump has gone to lengths no President has gone to before to harass, intimidate, and coerce the Fed to serve his own political interests, instead of what is good for the U.S. economy.

His administration has pushed frivolous attacks against Lisa Cook. They have pushed bogus accusations and investigations against Federal Reserve Chairman Jerome Powell. These attacks undermine the independence of one of the most important entities in the world economy.

So I would simply say this about Mr. Warsh: Donald Trump is trying to cannibalize the Federal Reserve to eliminate its independence, and Mr. Warsh has an obligation to ensure that does not happen. He must make clear that he would keep the Fed independent and free from Donald Trump's bullying, or else, he must not be confirmed.

And if Donald Trump won't drop his vendetta against the Fed, weaponizing the Justice Department to go after Powell and Cook, Republicans must not move Mr. Warsh's nomination forward.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Missouri.

DEPARTMENT OF HOMELAND SECURITY

Mr. SCHMITT. Mr. President, in the coming weeks, Washington will spend an enormous amount of time arguing about immigration enforcement. There will be speeches. There will be statements. There will be plenty of noise.

But beneath all of that, the debate before us is far simpler and far more serious. There are two visions competing for the future of this country. One vision holds that immigration law should be enforced, that borders matter, that citizenship means something, and that a nation has both the right and the obligation to decide who may enter, who may remain, and under what rules.

The other vision treats our sovereignty itself as immoral. In that vision, borders are an imperialist evil. The law is a fascist oppression, and our identity as Americans is a source of guilt and shame rather than pride and celebration.

All of these ideas are connected to the kinds of people who are attacking

Federal law enforcement in the streets of Minneapolis. They believe that we don't deserve to enforce our laws as a nation because they believe we don't deserve to exist as a nation. They are not hiding the ball. You can hear it very clearly in their slogans:

No one is illegal on stolen land.

So that is what this is. It is a debate about whether the United States remains a nation or not. The rule of law is essential to the American constitutional order. It is the clearest, most visible expression of self-government. A people cannot enforce its own laws, cannot meaningfully govern itself.

As much as some of my colleagues across the aisle wish it was, immigration law is not some break with longstanding norms. A country that cannot say who belongs cannot remain a country at all for very long.

Every serious nation understands this. Throughout history, societies that endured were willing to defend their borders, uphold their laws, and insist that citizenship carried obligations as well as benefits, without apology or shame.

To understand what is at stake, we must be honest—fully honest—about what the Democrats are demanding, what that vision would mean in practice, and why it represents a fundamental break with the idea of America as a sovereign nation.

To understand what lies ahead, we must be honest about what the Democrats are demanding and what it would mean in practice. They speak the language of accountability—of oversight—of reform. Those words sound reasonable enough. They are meant to.

But when you strip away the euphemisms, when you look at the substance rather than the slogans, the demands all converge on a single outcome, robbing us of the power to enforce our immigration laws.

This is not by accident. It is the continuation of a project that has been explicit for years. Abolish ICE, they say, defund ICE. Pick your slogan. It doesn't matter. It is all part of the same project.

Open borders and uncontrolled, unvetted, unlimited mass immigration—in the leftwing worldview, anything less than this is unacceptable and an unacceptable crime against humanity.

For them, the problem is not illegal immigration. The problem is any and every attempt to stop it. That worldview rejects a basic premise of nationhood that a people has the right to decide who may enter, who may remain, and under what rules. It denies that citizenship carries meaning, that membership entails obligation, or that law applies equally to those who violate it.

And when a society reaches that point, when it treats enforcement as an offense and anarchy as virtue, it begins to dissolve from within.

The end state of this Democrat vision is plain as day. Maybe ICE continues to

exist, but only in name. The law remains on the books, but only on paper. Illegal presence becomes permanent by default, not because Congress voted for it, but because enforcement has been made impossible. You don't actually have to pass a law called "amnesty" to get the same effect. But this is an abdication of our duty to the American people.

To understand how this vision is being put into effect, how our immigration laws are being hollowed out without ever being repealed, we must look closely at the specific demands now being advanced and what each one is designed to accomplish. The Democrat vision doesn't begin by repealing the law. It begins by making enforcement personally dangerous and professionally impossible.

It is clever actually. It is twisted. They get to say: See, we don't believe in open borders. We are not repealing any of our fundamental immigration laws—because many of their demands aren't actually going after the law. They are going after the people tasked with enforcing it. But, of course, as they know very well, that gets them the same exact outcome. And that is no accident.

History teaches a simple lesson: If you want a law to die without repealing it, make its enforcement intolerable. I am not going to spend much time debating the Democrats' demands for DHS as we roll into this 2-week debate, 3-week debate, 4-week debate, whatever it is going to be, there will be plenty of time for that over the coming weeks. And I look forward to being on this floor dissecting each one of their proposals and how disastrous it would be for our country.

But consider for a brief moment the demand that officers remove their masks and identify themselves publicly during operations. This is a clear and obvious intent to intimidate and put our Federal agents in harm's way.

ICE officers are already being doxed. Their names and addresses are posted online. Their families are harassed. Their homes are targeted. No one would demand this of narcotic officers, counterterrorism agents, or fugitive task forces because we understand that exposing law enforcement to retaliation is sabotage. The effect is obvious and very well-intended: Make enforcement personally dangerous. Make every operation an invitation to harassment. Make every officer a target.

When the state refuses to protect its own agents, it sends a message—one louder than any speech—that enforcement is something to be ashamed of, not supported.

And when enforcement becomes dangerous for enforcers, enforcement does not survive. What emerges is not reform. It is amnesty by default—not the kind debated openly, not the kind voted on, not the kind Democrats would have to openly defend to the American people, but amnesty achieved through attrition, through

delay, exhaustion, and paralysis, so that no one has to claim responsibility for the result.

Every step along this path points the same direction. The collapse is not accidental. And once amnesty becomes the default, once presence becomes permanent simply by waiting, the idea of a nation governed by law gives way to something far more fragile: a territory administered by drift. That is the future vision that is produced here.

Today, I want to lay out another vision before this body, one grounded not in drift or denial but in law, order, and national survival: enforcement in the honest application of the rules that everyone can see, understand, and live by. Law without consequence is not compassion. It is chaos. And chaos always falls hardest on the innocent, the lawful, and the most vulnerable.

This vision rejects the moral inversion that has come to dominate the debate so far in the last few days here. It rejects the idea that those who break the law are the only ones deserving of sympathy, while those who enforce it must apologize for doing their jobs.

It rejects enforcement by provision, supervision by activist, and amnesty by exhaustion. Instead, it affirms something older and sturdier: That order is the foundation of freedom, that rights endure only where duties are enforced, and that a people remain a people only so long as they are willing to defend the rules by which they have to live with together.

This vision doesn't ask for new theories or radical departures. It asks for seriousness. It asks for the minimum requirements of sovereignty be treated as nonnegotiable. It asks that the law be enforced as law predictably, humanely, and without apology.

Today, I want to lay out a framework: four principles—four ways to restore enforcement, defend citizenship, and ensure that the United States remains a nation worthy of name, four legislative ideas to protect America, each one restores something that has been deliberately weakened. Each one reasserts a basic function of sovereignty that no nation can survive or expect to endure.

First, end sanctuary cities permanently. Sanctuary policies are not acts of compassion. They are acts of defiance. They announce openly that Federal law will be ignored within certain jurisdictions and that those who violate the immigration law will be protected from its consequences. This creates a two-tiered system, one set of rules for citizens and lawful residents and another for those who remain illegally.

That is why we must support my colleague the Senator from South Carolina's bill to end sanctuary cities. A nation cannot survive if its laws stop at the city limits. Conditioning Federal funds on cooperation is not punishment. It is reciprocity. If a jurisdiction wants the benefits of Federal partnership, it must respect Federal law.

Anything less is an admission to the Nation that it no longer governs itself uniformly.

Second, enhance penalties for illegal entry and reentry. Illegal entry is a misdemeanor. It is time to increase that penalty and make it a felony.

And for illegal reentry—entering, being deported, and then reentering, we are going to meet that lawless behavior with swift, predictable consequences for that violation.

It is the only humane alternative to chaos, backlog, and false hope. When weak penalties on entry allow illegal presence becomes permanent by default, borders cease to exist in practice, no matter what the law says on paper.

Third, protect our law enforcement. We should protect the men and women of law enforcement. I have heard on this floor, including from ridiculous politicians across this country, comparing our men and women of law enforcement to the Gestapo, to Trump's secret police, of a Nazi regime, of an invasion. Pump the brakes.

I don't know that you actually believe it, but a lot of the people who are agitating and creating confrontations in very dangerous situations on those streets almost certainly do.

Let's recognize law enforcement are increasingly targeted. Obstruction and assault have been normalized. Weak consequences invite escalation. Modern obstruction is sophisticated now. It avoids fists but achieves the same results. Officers are surrounded, blinded, blocked, and drowned out. Operations are struck down through violence—not through violence, but through chaos engineered to appear peaceful.

Protecting officers is not about politics. It is about whether the state stands behind those who serve it. A government that abandons its enforcers invites disorder because authority that will not defend itself cannot command obedience. Law must protect those who uphold it, or it will not be upheld at all.

We must pass my Protect and Respect ICE Act that increases Federal penalties for assaulting ICE agents. But we must also be serious about interference and escalation tactics that are becoming more common.

So fourth, dismantle rogue NGOs. There are organizations in this country, nominally "nonprofits" that materially provide obstruction, incitement, and even violence against law enforcement. They coordinate interference. They publish officer information. They encourage confrontation. And they do so while enjoying tax exempt status subsidized by the American people. That ends.

If an organization materially supports or incites domestic violence or obstruction of law enforcement, it is not a charity. It is a political weapon. And it will not receive a penny of taxpayer subsidy.

Taken together, these four principles don't harden the Nation; they steady it. They replace drift with direction,

paralysis with purpose, and apology with resolve. They move us away from amnesty by default and back toward something far more just and enduring—a country governed by law.

If the Democrat vision prevails, the consequences will not arrive all at once. They never do. They arrive quietly, incrementally, under the comforting language of reform and restraint until one day, the reality can no longer be denied. Enforcement retreats. Illegal presence becomes permanent. Citizenship is diluted—not by law but by neglect. The authority of law erodes first at the margins and then at the center.

When rules are enforced selectively, obedience becomes optional. When consequences are delayed indefinitely, deterrence disappears. When a nation signals that persistence matters more than legality, it invites exactly the behavior it claims to oppose. Borders become symbolic. The distinction between lawful and unlawful becomes blurred. And the moral authority of citizenship—earned, protected, and passed on—gives way to a system governed by drift.

This is not collapse by invasion; it is collapse by abdication. It is what happens when a society convinces itself that enforcing its own laws is somehow mean-spirited while refusing to reckon with the human cost of disorder—communities stretched thin, public trust eroded, and a growing sense that the rules apply only to those who follow them.

Moments like this don't come around very often, but when they do, they clarify things that have been obscured for years.

This debate that we are going to have potentially over the next few weeks will shape the next generation. Long after the headlines fade and the talking points are forgotten, the consequences will remain written into the meaning of citizenship, the authority of law, and the character of the Nation itself.

No nation can outsource its future to avoidance. No society can long survive by pretending the hard questions will resolve themselves if left unanswered. Eventually, the cost of inaction becomes greater than the cost of decision.

That is where we stand now. The choice before us is unavoidable: We can affirm that the United States remains a nation governed by law or we can allow that law to dissolve into suggestion.

Every subsequent generation inherits a country it did not build from scratch, and every generation decides what it will pass on. Enforcement is the quiet, necessary work of self-government. A nation that cannot say no can no longer say yes to anything that matters—not to citizenship, not to equality under the law, and not to the promise it makes to future generations.

The future, ladies and gentlemen, belongs to the countries that believe in themselves enough to enforce their laws.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, thank you to my colleague Senator SCHMITT. Well said. Well done. That was a very logical argument about what is at stake.

I want to tell you where I am. I am an appropriator, and I can never remember putting a hold on an appropriations bill ever before, and I will tell you why I have done it, but I also want to acknowledge the appropriations process and Chairman COLLINS. We have a package of bills that are bipartisan. From a fiscal conservative side, they spend less than the CR.

To all of the people in our conference who demand the appropriators do better, we delivered, but you have given no acknowledgment. You keep saying stuff that is unrealistic. You push the system in a way that nobody can deliver. Politically, you are dumb as a rock. I am not going to mention you; you know who you are—but you probably don't if you are that dumb.

We are asking sometimes to make points that are not good for the Republican Party or the country. Might be good online. Might help you raise a few bucks. But I am tired of that. Count me out.

Senator COLLINS, you have worked with Democrats and Republicans, and before us is a package of bills that I have supported. Why am I holding? What happened?

What happened in Minnesota has to be addressed. Senator SCHMITT laid out the choices.

I am arguing to both parties: We need to do a little soul searching here. The man who was shot—I have seen the video. It needs to be investigated. I am sure it will be.

There are things being done on the ICE side that a lot of Americans are uncomfortable with. I get that.

To my Democratic colleagues, if you want to try to make it more professional, count me in. If you want to have more accountability, count me in. But your rhetoric—count me out.

If you were from a foreign country, Senator SCHMITT, listening to the debate on the cable channels, you thought we were the gestapo. Have you had any stories about a guy getting his finger bit off?

The ICE agents and the Border Patrol and all Federal law enforcement involved in this have been slandered and smeared.

And to the Republican Party, where have you been?

Count me in for holding them accountable.

Where are you at, leaders? Where have you been?

These people are patriotic. They are away from home. These crowds follow them to their hotel. They intimidate their families. The people pushing this are nuts. They are not normal.

The man who got shot—investigate, but do not tell me that he didn't have

an agenda. Look what happened 10 days before. Maybe excessive force; let's look. But don't play a game like the people out in the streets that are harassing ICE—that they are not part of the problem.

The real problem is not Kristi Noem. You can say whether she has done a good job or not. Stephen Miller. The real problem is that there are 12 States in America that openly defy Federal law.

Why are we dealing with this?

During the 4 years of Joe Biden, you obliterated our borders. You let anybody and everybody that could get here get here. You created chaos. And a lot of Americans have been destroyed by your illegal immigration policy, and all you want to talk about over there are the cops.

Senator SCHUMER, you blame me; I blame you. I worked with you on comprehensive immigration reform. It is not, I can't get there. But when you got in charge with Biden, you did everything conservatives were afraid of. You ignored the law.

Has anybody mentioned Laken Riley lately? The Laken Riley Act was a great piece of bipartisan legislation by Senator BRITT from Alabama. We all came together to say: No more Laken Rileys.

Well, what are we talking about? Laken Riley was killed by an illegal immigrant who was in detention in Texas and released because they had no bedspace.

Under the law, the DHS Secretary cannot mass-release people; they have to do it on a case-by-case basis. They were releasing people by the thousands.

This young lady is dead because they had no place to hold him, and they let him loose, knowing he might be dangerous. He makes his way to Georgia, and he murders her.

One year ago yesterday, we signed into law the Laken Riley Act.

To the Republican Party, why didn't we talk about that? Why didn't we remind the American people that part of what we are doing here is to not go back to the Joe Biden ways? We made a mistake here. We are on the run in an 80-percent issue, and I am tired of it. We should be reminding the American people: We are different than our colleagues on the other side. We are not going back to Joe Biden policies.

You can be unnerved by what is happening in Minneapolis—I get it—but the problem is, you want bandaid solutions.

We are going to have a vote on the floor of the U.S. Senate in 2 weeks as to whether or not we should criminalize the act of local and State officials who willfully disobey laws on the books because it is good politics for them.

If we could go back in time, we probably should have put George Wallace in jail for defying civil rights. These laws were on the books long before Trump. What is the right answer when a State or a mayor says "I don't like this Fed-

eral law. I am not going to do it because it is good politics for me"? I think you risk going to jail.

We cannot live in a country this way, where you get to pick and choose the laws you don't like. You can't have 50 State immigration policies. Sanctuary city policy is killing this country.

To the 12 States that are doing this: Stop.

How are you ever going to fix illegal immigration if there are pockets of the country that, if an illegal immigrant can get there, they are home free? That is what Senator SCHMITT was saying.

If you want to reform ICE, count me in, but if you don't get to the root cause of the problem, then you are really not serious about solving it.

I will not lift my hold on this bill until I get guaranteed a vote on my legislation that would criminalize the conduct going forward. And what conduct am I talking about? State and local officials openly defying Federal law that has been on the books for decades, incentivizing more illegal immigration, massive taxpayer rip-off, and a breakdown of law and order.

To these 12 States: You are screwing it up for the rest of us. You need to change your policies and comply with the law that has been on the books for decades, and there should be a punishment. To me, what you are doing is you are inciting chaos. You are putting people's lives at risk. You literally should go to jail if you will not enforce the law, abide by the law.

What a novel concept: You break the law, you go to jail—except you are an elected official, I guess. We have an exception. If you are doing what liberals like, then you actually can break the law.

No, you can't.

I want a vote on it. And if you have a better idea, count me in. That is my idea. If you can think of a better idea, let me know. If you have ideas about reforming ICE to make it more professional, count me in. But what we will not do in 2 weeks is leave unaddressed the root cause of the problem, and that is 4 years of the Biden administration, 11 million people coming to the country—only God knows why they are here and where they are from—and the chaos they have created.

Laken Riley is one example of too many where somebody died because of stupid, dangerous policies.

President Trump, like him or not, is trying to lower the temperature in Minneapolis. Tom Homan, good job. But he is not going to quit, and I am not going to quit. I am not going to give up on undoing the damage. I have had it.

I have worked with Democrats and Republicans to fix illegal immigration. Now you are doing everything to make it worse.

I am not going to sit on the sidelines and not get in this debate and say: Sanctuary city policy is dangerous. It is insane. It needs to be fixed.

You can convince me ICE can be made better. I don't think I will ever

convince you to abandon sanctuary cities because you are wedded to it on the Democratic side.

Let's have this debate. In 2026, if you want to go back to Biden, vote for the Democrats. In 2026, if you want to try to get the country back on a rational footing, vote for us. We are not perfect, but they are not either.

So what would it take to lift my hold? A vote, not an outcome. I am like any other Senator. I don't demand a lot, but I am demanding that my solution to fixing sanctuary cities at least have a vote.

You are going to put ideas on the floor to make ICE better; I want to put an idea on the floor to get at the root cause of the problem, and that is not unreasonable. Vote any way you want. I am asking this body to guarantee me that vote, and we move forward.

Second thing. What happened with Jack Smith? Here is what happened to me. I didn't know—but now I know—that they literally started asking the phone company about my phone calls, professionally and personally, during a period of time when I was chairman of the Judiciary Committee, by subpoena. No one has ever suggested I broke the law. This actually really bothers me. If I were a Democrat, I would be bothered too.

The original Arctic Frost provision was signed off by Leader SCHUMER and Senator THUNE, and it was seen as—to have an ethical problem. Not my intent. I fixed it. I changed the language so it would comply. No enrichment by me or anybody else. But I am not going to give up on the idea that we should abandon holding Jack Smith accountable.

The House. You took the Arctic Frost language of the Senate and took it all out. You could have called me about the \$500,000. I would be glad to work with you. You jammed me.

Speaker JOHNSON, I won't forget this. I have a lot of good friends in the House. If you think I am going to give up on this, you really don't know me.

So how about this idea to my House colleagues? Why don't we expand a private cause of action to the 430 Republican groups that may have been abused by Jack Smith? Nothing to do with me. You took the provision, and you gutted it. You took the notification provision out telling Senators or Congressmen if they are asking for your phone records when you are not under criminal investigation, you should know.

Senator PETERS and I are this close to finding a bipartisan solution to protect the body in the future. It is Republicans today, could be Democrats tomorrow. We should all want to be notified as Senators and a separate branch of government that the executive branch is looking for our phone records unless we are charged or investigating a crime. That is just common sense. They took that out.

There was a stampede in the House. Everybody said, well, it passed unani-

mously in the House. I couldn't care less. What you did, I think, was wrong. You overreacted. We will fix the \$500,000. Count me in, but you took the notification out. I am not going to give up on that.

I am demanding a vote on the floor of the U.S. Senate to an amendment that requires notification to a Member of Congress if their phone records are being looked at by the executive branch, unless they are under criminal investigation. That is a fishing expedition. We should all be against that.

I am going to demand a vote on the floor that groups, not Members of Congress, who may have been harmed by Jack Smith, have a private cause of action—Charlie Kirk, Turning Point USA, the Republican National Committee, the Conservative Partnership Institute, the America First Policy Institute, Save America PAC, MyPillow—430 Republican-aligned groups and individuals, 197 subpoenas against these groups and what they were doing.

To the House, if you expect me to deny these people a chance to have their day in court against Jack Smith, you are talking to the wrong guy. I am urging the Speaker, give these people and anybody else we find, 430 groups, a chance to hold Jack Smith accountable in court. Nothing to do with me. If you don't do that, you are giving a pass to what I think is the most abusive investigation maybe in the history of the country by Jack Smith.

Within 3 days of President Trump announcing, "I am going to run again," they have a special counsel and within 6 months, they have 90 felony charges in the most liberal districts in the country. I believe it was a coordinated effort to make Trump unelectable. I believe it was lawfare, and I am going to pursue my beliefs.

As to me, what have I done to justify this? He says he can defend what he did to me. Great. Get a good lawyer. See you in court. What did I do wrong? I am the chairman of the Judiciary Committee. I am asking questions.

When it came to January 6, I think I was more the solution than the problem. I took this floor and said: Enough. I don't think the election was stolen. There may have been some abuses, but I am done.

What happens? I find out during all this time, they are looking at me for being involved in a plot to steal the election when I am the biggest advocate. Enough. You actually used my name to Verizon. See you in court.

To the government, Donald Trump is suing the IRS for \$10 billion because somebody in the IRS may have leaked his records. You should sue. If our government can't be sued by people—only by people not in it, then people like us are lambs to the slaughter. If they ever say that because you are in the government, you have no rights; that because I am a Senator, my right to use my phone without being interfered with no longer exists, that is insane.

I am going to pursue the damage done to me, hoping it will better others in the future.

I hope, after all this is over, people will not be going on fishing expeditions to find out who a Senator was calling and why they were calling ever again unless they believe that Senator has committed a crime; is that too much to ask?

This is a defining moment about what is the root cause of problems on immigration. Senator SCHMITT is right. People have made mistakes in Minnesota. But the reason we have this chaos is that 12 States are pursuing policies that are insane: I will not enforce Federal law because I don't like it, and it is popular.

Those days are over.

If a conservative—if you start doing that stuff—we had clerks of court that would refuse to do laws around marriage. I had an opponent in the 2016 race. I didn't last long. He did better. There is some lady somewhere saying: I am not going to recognize this certificate of gay marriage because it violates my religious beliefs.

That was her job, right?

One guy said: I think she is right. I will go to jail with her.

And I said: We will miss you.

I am not going to jail for that. I have my own views. But if you are a public official, you don't get to have your own views and be a veto.

On the right, there were a lot of people wanting to make a point: I don't agree with gay marriage. I won't follow the law.

Well, you could go to jail too. That is my point. Our political desires have to have some boundaries around here.

I am willing to lift my hold. I am willing to vote yes. I actually like the products. I am asking for two simple things. Give me a chance to express myself on what the solution to our problems on immigration are. I am not asking for an outcome—for a vote. I have a bill. I want to vote on it.

As to Arctic Frost, I want to have a chance to have a vote on a version that would expand private cause of actions for nonmembers of Congress who may have a claim against Jack Smith to be able to improve it. I want to work with Senator PETERS to see if we can find a way to give us notice so that the next administration can't fish for whom we are talking to. They have to actually have a real reason. That is all I am asking. I think those are reasonable things.

I will end where I began. To the appropriations process, it is a miracle we have done it the way we have done it. It is actually what we have been hoping for. Everybody who has been complaining in our conference, "let's get back to regular order," well, when we try to get back to regular order, they won't let us.

"Let's do less spending." We checked that block.

Well, that is not enough. We actually have, Senator TILLIS, appropriations

below CRs. All of a sudden, we are still the bad guys. People have said: Let's go to the floor and debate. They won't let us get to the floor. So there are people in our conference—I have just, like, had it. We have to have regular order.

To our leadership, you are my friends. We are playing not to lose. They on the other side have the courage of their convictions. They are coming out here with 21 things that we should do to stop abuses in Minneapolis. We are just sitting around looking at each other worried. Hold the people accountable in ICE who may have broken the law. But stand up for those in the field trying to protect America and have the courage to say it is not about Kristi Noem, whether you like her or not; it is not about Stephen Miller, whether you like him or not; it is a deeper, bigger problem. That is a debate worthy of a great country.

To my Republican colleagues, we need to up our game. I am not asking you to do things that I think are unachievable. Have a vote. If we lose, we lose. But I am frustrated, and there are a lot of people out there frustrated that the moment is not being met. I think it is time to reevaluate.

To my Democratic friends, you think you have the upper hand? You may for the moment, but what you are asking for is really too much. Part of your problem is, you haven't really acknowledged the Laken Rileys of the world and all the people who have had their lives upended. That is not balance. You are probably right about ICE reform. But none of you—no protesters—nobody up in arms about this young lady being murdered and thousands others like her.

In 2 weeks, we will have the debate. I will lift my holds. All I ask is to have a voice in that debate. Down the road, all I ask for is to give access to people I think were harmed by Jack Smith. They will have to prove their case—nothing to do with me—and protect the body against fishing expeditions. That is what I am asking for. I hope we can get there.

I will end where I began. It is not about the appropriations process. I actually think we have done a damn good job beyond what I ever expected.

Now, the Arctic Frost amendment. Nobody talked to me. I talked to Senator COLLINS. We will get that right.

Final thought. I told Senator THUNE, what does it matter if a single Senator says the entire House is wrong? We should respect that Senator and let them have their say. I have been told the White House doesn't like this, and I told the White House last night, I don't care if you like it or not. I literally texted my friends at the White House: "If I were you, I would not call me tonight." And they didn't call me.

I don't work for the White House. They are my political allies. I am close to President Trump. I don't work for him. I don't work for the House. I have been in the House. I enjoyed it. I like this better. Why do I like the Senate

better? Because one person has a say. So when I heard that, well, the House passed it, I think they made a mistake. I think they went too far.

The \$500,000 thing, let's fix it. But you took it all out because there is a rush to judgment and a political stampede.

So don't ever come to me ever again and say: You are just one voice. That is not a good reason to not let me know what is going on or to deny me a chance to have that voice.

To every Senator in this body, when they started this stuff a long time ago—250 years ago—they made you special. There are things we can do that nobody in the government can do as a single Senator. I am not giving that right away to any friend or foe in the White House. I am not letting the House take that right away from me. I am not letting the leadership take that right away from me. You know why you should sort of be in my camp? It could be you tomorrow.

Senator TILLIS, you have done some things by yourself that you thought were right. We need more of that, not less of that.

Senator COLLINS, you got ripped by the President and took it in a way that I think people of Maine should be proud of. I don't know what was said, but it was reported as pretty tough, and you stood your ground. I don't agree with you about the vote, but I know with SUSAN COLLINS, here is what I get. She will listen. She will make her mind up. If you think you are going to change SUSAN COLLINS by a phone call, you really don't know her very well. She does it with a smile. Problem-solving—there is not enough of it.

So this is a time for all of us to reflect. I never do this. I never hold things. I never say: I have to have my vote or else. I am doing it now because I think it will reset. I think it will reset the debate. I think it will be good for my party to up our game. I think it would be good for the Democrats to have a challenge on their hands.

The PRESIDING OFFICER (Mr. JUSTICE). The Senator from Missouri.

Mr. SCHMITT. Does the Senator yield for a question?

Mr. GRAHAM. I do.

Mr. SCHMITT. You and I were talking last night and you mentioned, in closing, resetting debate. I think that is so important right now.

We are talking about appropriations bills, which is fine. I fully supported that. The chairwoman has done a great job. But what we are also hearing now is, the Democrats have now moved to they want a policy debate and policy changes on approps. I thought that is what we were supposed to do in this place, but that is what they want to do whether it is in 2 weeks or 4 weeks or whatever we come up with on this potential CR for DHS.

I think it is very important for us to remind the country as to how we got here. This didn't start this weekend in Minneapolis, and it didn't start last

year when President Trump came into office. It started in January of 2021 when Joe Biden let 15 million people in here illegally and fought every single attempt to stop it. What we discovered was that laws don't really mean anything if they aren't enforced. Yet we have a President now who ran on this central platform of enforcing our immigration laws and deporting people who are here illegally, and the Democrats cannot accept that. They can't come to grips with that reality, which is that the American people—and I hear a lot of: We are preserving democracy. Well, if democracy means anything to you, it means, when the American people saw what happened and they sent this guy back here to clean up the mess, that maybe we ought to respect that for a year and a half, but they don't want to do it. So we are going to have this debate, right?

So the reason I laid out the four ideas is that I want to make very clear to my Democrat colleagues that this is a home game for us. If you want the debate on immigration, bring it on, and we can be out here every single day for 2 weeks or 4 weeks at every single hour because the American people are fed up with this, and I know you believe that too?

Mr. GRAHAM. Yes. Thank you. Is that a question?

Mr. SCHMITT. It is.

Mr. GRAHAM. OK.

Mr. SCHMITT. That was a question mark at the end. "I know you believe that too?"

Mr. GRAHAM. The answer is yes.

Mr. SCHMITT. "I know you believe that too?"

Mr. GRAHAM. Yes, I do believe it too, but I haven't slept in a while.

But this is just normally not me. Senator COLLINS and I talked before. If we do this—if we can't get appropriations through until we solve a policy debate—we are never going to appropriate again. Today, it is immigration. Tomorrow, it could be abortion. The next day, it could be regulatory reform. Senator COLLINS is very worried that policy debates need to be done in authorizing committees.

To my authorizing committees: What have you done lately?

To Homeland Security Senator JOHNSON: What did we do?

These committees are becoming political jousting. Authorizing committees have to be bigger than making points. And you get mad at the appropriators. Well, do your job. Senator RISCH is working well with Senator SHAHEEN, but we haven't reauthorized the State Department in, like, 25 years. So this is a dangerous model.

To my Democratic colleagues: You would be cheering on putting the clerk in Tennessee—or wherever she was—in jail for not recognizing gay marriage because she disagreed with the Supreme Court. You would be cheering: Put her in jail. But you are going to defend some mayor who says: I will not cooperate with the Federal Government as I am required to by law. That

is politics for you. You are all politics all the time. I have worked on immigration. Senator TILLIS has worked on immigration. Senator COLLINS has. When you got in charge, you blew by everything you said you weren't for.

Mr. SCHMITT. Wouldn't you agree that the reason we are here—if it were about ICE or if it were about DHS or if it were about President Trump, you would see this everywhere in the country. The fact of the matter is, the incidents of violence against ICE agents is 500 times more likely in 9 sanctuary counties in this country, and so Minneapolis has become the epicenter. Why? Because the local law enforcement doesn't help ICE agents. They are having to do the job that local law enforcement might do. They are not telling them when criminals are being released on the streets.

Think about that, that the American people know of the murderers and rapists and child molesters who are illegal immigrants and that we are not going to tell Federal law enforcement about it because you want everybody to stay here indefinitely. That is insane, and that is why it is dangerous. It is dangerous.

Mr. GRAHAM. Well, let me end on this—and I have made my point, I hope.

Laken Riley was murdered—dead today—because immigration policy was constructed to the point they had too many people and not enough beds and they let the man go. He was released because of a lack of detention space, not because of some merit under the law. She is dead. A year ago today, we signed the law. There are a bunch of cases like Laken Riley—raped, murdered, dead.

There are two sides of this debate. I get what you are saying about ICE going too far. I am with Senator SCHMITT. God bless these people for being willing to do it. And as for the ones who did it wrong, hold them accountable. I am passionate about cleaning up this mess. It is a mess that needs to be cleaned up, and President Trump is adjusting with Homan.

But I am not going to give up on the idea of the root cause of the problem. It is not Trump. It is not Miller. It is not Noem—all the people you hate. The real cause of the problem is you have instilled into your base that it is OK to defy the law when you like it. Twelve States are ignoring Federal law because it is good politics for those Governors and those mayors. Like the clerk, you don't have the ability to override a law or a Supreme Court case because you don't like it. If you don't like the decision of the Supreme Court on gay marriage and you are a public official, quit your job. You have got to follow the law. If you are a mayor or a Governor and the law is clear, follow it, and if you don't follow it, then you are committing a crime. We are never going to have law and order until we insist on it.

I appreciate this moment. I appreciate my colleagues for listening to my

frustration. I am ready to move forward. My requests are reasonable. I celebrate the accomplishments of the Appropriations Committee, but this debate that we are going to have in 2 weeks is long overdue. I would just ask to have a seat at the table and a voice.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, sometimes when I hear floor speeches down here, I think of my wife, whom I love dearly, and I will be married to her for 39 years in June, but for about the first 5 or 10 years of our relationship, I would do something stupid, and she would rightfully get mad. And then I felt like I had to hear every other stupid thing I had done since I had met her 5 or 10 years before. There are a lot of very valid points being made here today, and very few of them have anything to do with what is ahead of us this weekend.

To try and explain where we are here, Senator COLLINS has done an extraordinary job with having her hand on the rudder of getting five appropriations bills ready to go to the President's desk. We have an agreement that was between the President and the Democrats that is before us. The Homeland Security bill has had to be severed for a variety of reasons—I will get to that too—and we are trying to address that through a continuing resolution. We are trying to decide if that is 2 weeks, 4 weeks, or 6 weeks. That continuing resolution, incidentally, because of the way we fund the government here, would actually provide more money during the CR than we have in the underlying appropriation that we hope to pass someday.

But the reason we are not moving forward today doesn't have anything to do with the Democrats. It has to do with a handful of Republicans who are refusing to let us move forward. The fact of the matter is, the reason we had one of the longest—no. Actually, we set a record—the longest shutdown in U.S. history is that some of my colleagues decided to hold up for about 35 or 37 days before we finally came to an agreement.

I think we have just got to be truthful to the American people. I am not going to try and outwit the eloquence and the expertise of two accomplished prosecutors. I am just going to try and make it real for the people who may be watching.

We are going to shut down the government because some Republicans refuse to take the win. They refuse to take a negotiated agreement that the President agrees with. President Donald J. Trump agrees with what we can do to avoid a government shutdown. So it just seems silly to me that when you parse through all that stuff—it is sort of like when I am getting hammered by my wife for all the dumb things I did. Yes, she was right to be mad at me for the last dumb thing I did, but I thought we had finished those other arguments.

Now, we are bringing all that stuff back in.

And I love you, Susan.

But when we are talking about lowering the temperature, let's lower the temperature in this Chamber and recognize that if we have a shutdown, we own it. The Republicans own it. You can say whatever you want to, but it is materially untrue. We have five appropriations bills that could fund the majority of the government and not put it into shutdown just by lifting these holds and living to fight for the issues that I agree with when we finally get on the Homeland Security bill. I agree with some of the things my Democrat colleagues want, and I have got other things that I would like to see in the bill, but I don't know why I would hold this up when that real debate is on that bill.

Now, to Senator GRAHAM—my neighbor to the south from South Carolina—I am from North Carolina—I get his frustration with the Jack Smith investigation. It was horrible. I don't know the legal processes, but he should probably be held accountable for prosecutorial misconduct. There are various ways that you can go after Jack Smith if that is really what you are wanting to do. If they did this sort of surveillance or phone tapping or whatever they did, go after him. Whether or not we should have a \$500,000 reward for a Member who got targeted, I don't want that because that is actually your money. I would like, maybe, a dollar award to send a message—but come on, guys.

And Senator GRAHAM mentioned a \$10 billion lawsuit from the President. Really? Where does that money come from—the money fairies or your pocket? If the President has been damaged, of course, he should probably, like any other citizen, receive it, but my goodness. A \$10 billion lawsuit seems silly.

Now let's talk about Minnesota.

I think it was Benjamin Franklin—and he was actually updating something that was attributed to someone, maybe, 100 years before, but I believe that Benjamin Franklin said something along the lines of: Better 100 guilty men go free than 1 innocent man be convicted.

Now let's talk about Minnesota.

Look, I get that Mr. Pretti, who was shot, was obviously agitating. I saw the video of his kicking a taillight out of the truck a week before. Why didn't ICE just go ahead and arrest him then and deescalate then? I have seen the videos more recently, and they are very disturbing. I want the ICE officers who were involved to get a fair shake, but they need to be investigated. To the casual observer—to most people across the United States—it doesn't look right, and it certainly doesn't look like us, but there are so many examples of where we want to turn up the pressure when the American people want us to tone it down.

Sanctuary States and sanctuary counties are dangerous. In fact, I took

every sanctuary city and sanctuary county in my State to task, and I have held them accountable. In fact, I have got a bill I would like my colleagues to get on. It is called Justice for Victims of Sanctuary Cities. It is not something new. I did it a couple of Congresses ago. It simply says, if a governmental entity has a sanctuary policy and doesn't cooperate with Federal law enforcement and they release someone who does harm to somebody else, they should have a right of action and sue that city or town, right? It shouldn't be a problem because the city or town or State said these are just innocent people. So why should they worry about that? They should endorse it, right? They should embrace it because, certainly, they are not releasing dangerous people, and the private right of action would only occur if they did.

So why don't we start talking about these commonsense sorts of ways to lower the temperature: to hold people accountable when they are harming ICE agents and to hold ICE agents accountable if they react in a way that is not consistent with their law enforcement training. If we do that, I think that the American people will appreciate it.

But back on the underlying reason as to why I am here today: I think it is wrong for us to shut down the government to make a point. If all you are asking for is a vote—and people need to understand that the Democrats have held their Members back from offering amendments. If we get on this bill, we may have to defend some amendments, but we would be able to move on because that was a part of the agreement. So it is Republicans now—a handful. The vast majority of us are ready to go. Republicans now are wanting to get a vote just to make a point. They have already said: I just want a vote. I know it will probably fail.

Well, why don't you reserve that for the vote that we are going to have when we are on the bill that is driving your need for most of those amendments outside the Jack Smith amendment?

I mean, come on, guys. This is not that hard. I can figure it out, and I am not the smartest person in this Chamber, and I think the American people can figure it out if we explain it that way.

But, at the end of the day, if the government shuts down, I have said repeatedly that the only way you can recognize or fix a problem is to recognize you have one, and if we shut the government down today, we have created the problem, and we need to fix it.

Senator THUNE, the majority leader, has done an extraordinary job. Senator THUNE wants this vote on the floor. Senator THUNE wants to avoid a shutdown. President Trump wants to avoid a shutdown. But Senator GRAHAM is right; one Senator has a lot of power. If you use it judiciously, you can be productive and make a difference, but if you use it in the heat of the moment,

you can make a point that not a damn person is going to remember a month later.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I rise to follow my colleague from North Carolina and with Senator COLLINS, the Senator from Maine, on the floor.

I hope also to be voting today—and hopefully soon—on behalf of the bill that is pending before us that would advance five completed appropriations bills that are very solid bills, to my point of view. None of us ever think these bills are perfect. There are always things in them we wish weren't and other things that we wish had been in them that aren't, but I think these are very solid bills.

I think it is time—not just because of the shutdown—it is time to advance these bills to the President's desk. I appreciate that colleagues are recognizing what we need to do is advance those bills and then focus in a very intense, high-stakes way on what I believe is the need for dramatic reforms of DHS and its Agencies. We all know the controversies, and we all know some things that need to be done, and we will see if we can reach an agreement. The idea in this proposal is to take 2 weeks to see if we can find it. If we find sufficient reforms, you will have votes like mine. If we do not find sufficient reforms, my vote will not go for the ultimate bill. But in 2 weeks, we will be able to know whether we can provide significant reforms that would curb the abuses that we are seeing and that people all around the world are seeing, to our discredit.

I was inspired to speak when I heard about the Graham amendments. Now, as I stand here, I have not seen the filed amendments or their text, and I am not yet sure whether, in fact, there will be a vote on the amendments that my colleague from South Carolina has described. However, I want to explain why I think both of these amendments would be a very bad idea. Maybe in explaining that, I might be able to convince colleagues not even to vote on them. But if we do have votes, I am going to be voting no on both and encouraging my colleagues to do the same.

Let me tackle the first issue raised by Senator GRAHAM: proposing to offer an amendment that would create some cause of action against "sanctuary cities."

I have two very serious concerns about the proposal as he has described it on the floor and as I have read about it. The first is, what is a sanctuary city? Is a sanctuary city or community a city that just says, "We are a sanctuary city"? Is that enough? What if a city doesn't say they are a sanctuary city, but they refuse to enter into a 287(g) agreement with DHS? What must a city do or not do to be labeled a "sanctuary city?"

If we are going to have a cause of action that would impose damages that

would have to be paid by, not the city—it all comes from the local taxpayers; it would have to be paid by local taxpayers—you have to have a real clear definition of what a sanctuary city is.

I am very, very worried about any amendment that would try to punish sanctuary cities, for two reasons.

First, the administration does not know what a sanctuary city is—the Trump administration. Why do I say that? I say it because of actions earlier this year.

In May of 2025—I am sorry, last year—in May of 2025, the Trump administration, through the DHS, listed sanctuary cities in each State. They put out a massive list. Now, I didn't pay attention to 49 States' lists, but I paid a lot of attention to the Virginia list, and let me tell you who was on the Virginia list. There were 20 counties and 13 cities. Virginia has 134 cities and counties. So the Trump administration said that 20 counties were sanctuary counties and 13 cities were sanctuary cities. But when we looked at the list, it was comical. It was like Stephen Colbert or somebody had written this list.

One of the counties listed was Martinsville County. That is not a county in Virginia. One of the cities that was listed was Tazewell—but wait. That is not a city in Virginia. There is a town of Tazewell that has 4,000. There is a county of Tazewell that has 40,000. It is not clear whether Tazewell city was meant to refer to either or both of those communities.

The list of 33 was rife with not only errors but misspellings. But my favorite one was this: One of the cities listed as a sanctuary city in Virginia was Duffield, VA, in the heart of Appalachia. It is 0.6 square miles, population 73, in the heart of Appalachia—sanctuary city.

Well—I don't know—maybe Duffield is a hotbed of immigrants or something. I went to the census data, the 2020 census data. The 73 people that live in that 0.6-square-mile town are 100 percent Caucasian. It is not a hotbed of immigrants. It is not a sanctuary city. Yet the Trump administration listed them.

This was news all over Virginia. The list got published everywhere: Duffield is a sanctuary city.

If mistakes were made on this list about Virginia, I know they were made about other communities as well. To its credit, the Trump administration in August put out a new list of sanctuary cities in Virginia, and instead of the 33 that were on the list in May, now there were zero sanctuary cities—just 2 months later, zero sanctuary cities.

Clearly that initial list was prepared by someone who didn't know anything about Virginia, anything about sanctuary cities. I suspect it was AI, and I can't decide whether "AI" stands for "artificial intelligence" or "artificial ignorance." But it included many communities that definitely are not sanctuary cities.

I have only given you the most egregious errors. If you look at the others that were on that initial list, none of them have ever passed sanctuary city legislation, and none of them have refused to cooperate with immigration officials in doing their job.

So the first thing about an amendment that would impose a cause of action against sanctuary cities is, how could we trust that it would be applied fairly when the administration can't even figure out what a sanctuary city is?

Here is the second reason I would oppose this amendment and urge my colleagues to do the same should it be offered for a vote. What about local elections? I have heard from many of my Republican colleagues and, frankly, not just Republican colleagues—those of us who have been mayors and Governors don't think Federal officials in this Chamber should micromanage everything a city does or a county does or a State does.

If folks in Duffield, VA—population 73—decide that they don't like being a sanctuary city, which they are not, they could change out their mayor; they could change out their city council; they could elect different people to have different policies.

Why would we have a Federal cause of action against a city or a county that is responsive to its voters? Allow voters to decide whether their elected officials at the local level or State level are embracing the right or wrong policies.

We shouldn't use lawsuits, as much as I like them—I was a lawyer for many years and tried a lot of cases—we shouldn't use lawsuits against localities that have the power to elect their own officials, to embrace policies and kick out officials if they are embracing the wrong policies.

So on Senator GRAHAM's first proposed amendment—a cause of action against sanctuary cities—we can't even really trust that this definition will be worked out right, as evidenced by the problems that the administration has had. And let's let local and State governments govern themselves and the voters kick out people if they are embracing the wrong policies.

Let me talk about the second amendment, which I also think would be a very bad idea. We squirreled away, in a bill that passed out of here in November, a very unusual provision giving a cause of action for various Senators to sue if they felt like they had been unjustly targeted by an investigation connected to what happened in this Capitol on January 6.

It is very unusual to create a cause of action for such a limited number of people, and most of us were unaware it was in the fine print of the deal and only found out later, to our surprise and chagrin.

The House, to their credit, kicked that provision out, and that is smart. It should stay out. Senator GRAHAM is now proposing an amendment—and I

am at least gratified that he is not proposing an amendment that just gives like a special, you know, E-ZPass lane for Senators to bring lawsuits. He is proposing an amendment that would allow more generally individuals who had been subject to that January 6 investigation to bring a lawsuit.

But let's just hold on for a minute. We are going to create a Federal cause of action to allow people who felt they were unjustly targeted by the January 6 investigation to bring a damages lawsuit against the U.S. Government. What about somebody who is shot in the back 10 times by an ICE agent? Shouldn't that person be able to bring a cause of action against the Federal Government? That person can't, not only because the person is dead—Mr. Pretti—but because Federal law does not allow that lawsuit. The family of that individual cannot bring a wrongful death action against the United States because of sovereign immunity doctrines.

What about somebody manhandled or beaten by an ICE agent or a Federal prison guard or what about somebody who is mistreated by somebody in a TSA line by a TSA employee? I mean, shouldn't there be a cause of action against a Federal employee who abuses somebody in another way? But there isn't. Federal law generally prohibits these claims because of sovereign immunity doctrines against the Federal Government, and it is nearly impossible to bring such a claim against the individual Federal employee that carried out abusive behavior.

So the proposal that Senator GRAHAM is making is to say that individuals who were targeted in an investigation about an attack on this Capitol to overturn the peaceful transfer of power will be given a unique status in American law and be able to file lawsuits against the Federal Government or against Federal officials in a way that no one else can—even people who have been grievously injured or even killed by the actions of Federal employees.

We should not elevate people's concerns about the January 6 prosecution and give them a special status in American law above those who have suffered grievous physical injury and even been murdered. We shouldn't.

Now, Senator GRAHAM is a good lawyer, tried many a case. He knows that there has long been a debate about whether and under what circumstances one might create a cause of action for individuals, a Federal tort claim for individuals who have been on the receiving end of illegal behavior by Federal employees. That has been a debate that has been kicking around for a long time.

If Senator GRAHAM or anyone in this Chamber wants to engage in a discussion about what should the parameters of such a cause of action look like and how it shouldn't be just for one group of people, but it should be for anybody whose rights have been grievously violated by the actions of Federal offi-

cial, that would be a worthy discussion to have. It has some challenges to it, and it is not an easy discussion, but it is one that has been going on for a long time, and it would be a worthy discussion to have. But for God's sake, especially in the aftermath of the horrific killings of these civilians in Minneapolis, who don't have any ability to seek compensation from the Federal Government for their losses of life, let's not create a cause of action for a certain group of people who were investigated over their role in the January 6, 2021, effort to overturn the peaceful transfer of power in this country.

It is my hope that these amendments will not be called up for a vote. If they are, I will strongly oppose them and encourage my colleagues to do the same so that we can move forward on passing the appropriations bills and then getting into a focused discussion about DHS reform.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, 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. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. MOODY). Without objection, it is so ordered.

EPSTEIN FILES

Mr. SCHUMER. Madam President, now, this morning, we got news that another tranche of Epstein files was released by the DOJ, but these releases raise far more questions than answers. There is a lot here that does not add up.

First, the DOJ says all the documents were released. Well, does that include all the coconspirator memos? all the corporate protection memos? the original Palm Beach Police Department reports?

We need answers to that, those and other areas that may not have been included, and we just don't know those answers.

Second, has all the relevant information been released on each of the 10 Epstein coconspirators?

There are 10 coconspirators. In this new tranche of documents, is every one of those 10 included? And if not, why not?

Third, the DOJ numbers keep changing. They say they collected 6 million pages, but they are only releasing 3. What happened to the other 3 million? What is in them?

And, finally, has every document that mentions the word "Trump" been released? Yes or no?

We need answers. It is now 42 days and counting that the administration has violated the law by failing to release all the files. Every Member of this body voted that all the Epstein files should be released, and we are not

satisfied that the law is being complied with. We believe it is not.

The American people need answers, above all. The American people are asking about this. Pressure from the American people got just about every Member of the House and Senate to vote to release the files. Why hasn't the whole thing been released? And why are there so many holes, missing pieces, unanswered questions when it comes to the release of the Epstein files?

The longer Pam Bondi hides the truth from the American people, the more the American people ask: What are they trying to hide?

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(Mr. HUSTED assumed the Chair.)

(Mrs. MOODY assumed the Chair.)

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

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

APPROPRIATIONS

Mr. MCCONNELL. Madam President, hard power is the cornerstone of U.S. national security. It is the credibility behind our commitments to defend our core interests, and investing accordingly is one of Congress' core responsibilities.

I am proud that the Senate will uphold that responsibility today by passing a full-year Defense appropriation for the fiscal year 2026.

Our action today is urgent, important, overdue, and yet insufficient. Allow me to briefly remind our colleagues what this vote represents.

About a year ago, I offered the incoming administration a few recommendations on the nature of American power and what it would take to sustain it in the face of grave and growing threats. I urged them to push for sustained, year-on-year increases to the Defense top line to prioritize investments in the industrial base that equips both America and our allies and expand the use of multiyear procurement contracts to solve glaring shortages of critical munitions.

Suffice it to say, the President's advisers didn't initially seem to heed this advice. In fact, senior budget and defense officials welcomed the first full-year continuing resolution for the military in history—a move that effectively left the Pentagon operating on President Biden's budget and handicapped President Trump's efforts to ensure peace through strength.

Then, they went about trying to internally cut 10 percent of the military services, setting arbitrary budget reduction quotas to shortchange growing military requirements. Even the administration's first official budget request left much to be desired.

Indeed, Defense appropriations received a fiscal year 2026 defense budget

request from OMB that would have amounted to a net cut after inflation, a continuation of the Biden approach to discretionary appropriations.

As the President's foremost national defense priorities came into focus—from homeland missile defense to shipbuilding renaissance—the inadequacy of his administration's budget request became undeniably clear.

And what about the budget reconciliation process that could have been optimized to make one-time investments in critical sectors of the defense enterprise? Administration budget officials treated it like a shell game. Much of the Defense Subcommittee's most arduous work in recent months has been helping the armed services address real, urgent operational shortfalls that were created when much of Washington decided to pretend—pretend—that the one-time infusions of cash could take the place of consistent annual appropriations.

To be clear, this was not the intention of my friend Chairman ROGER WICKER, who has been a farsighted advocate for sustained increases in annual defense spending. But OMB's effort to shift major, long-term funding priorities from the base budget to reconciliation didn't just suddenly obviate the need for steady full-year appropriations. In fact, it just created additional challenges.

The full-year bill we are passing today reflects great efforts on the part of Senate appropriators to make up for growing shortfalls that are stifling the Department's ability to deliver the President's military priorities.

These aren't small, little-bitty shortfalls. The administration has acknowledged fiscal year 2026 funding gaps of at least—now, listen to this—\$40 billion. The President's Golden Dome and Golden Fleet will not be built on a bronze budget. That is precisely why Senate appropriators marked a bill that would have exceeded the President's budget request by \$22 billion.

The conferenced bill we are voting on today comes in at \$14 billion below that top line. So the final bill is only \$8.4 billion above the President's request. Clearly, that is not enough to cover an official request for \$28 billion in munitions that came in while we were conferencing the bill. A request for \$28 billion in munitions came in while we were conferencing the bill.

Clearly, it is not enough to cover the \$40 billion in shortfalls identified by the Department, but within our limited top line, this bill makes modest but important downpayments on key priorities for the military: critical munitions, shipbuilding, sixth-generation fighter aircraft, missile defense, and more.

In any event, it was always clear that glaring challenges—particularly to industrial capacity and defense innovation—would not be solved in a single budget cycle. This is the business of years upon years, and it will require, at the most basic level, a renewed rec-

ognition of the centrality—centrality of hard power.

Twelve months into the President's term, I am hopeful that appropriators will have more allies in our work to deliver consistent and increasing full-year resources.

The President, for his part, indicated an ambitious goal for the coming year: a 2027 defense budget of \$1.5 trillion. Needless to say, building toward this target next year would be a lot easier if we had been able to make more headway this year.

Going forward, every stakeholder is going to have to acknowledge that we can't nip and tuck our way to building the military we need to meet the growing threats.

When administration officials tell the Department at the eleventh hour to finally make more room for investments in critical munitions, they ought to be ready to join us in advocating for our top line, not expect warfighters to take it out of hide.

Regardless of whether we are willing to put our money where our mouth is on national defense, we face adversaries who are. And they will continue to pose growing threats to our security and to our interests.

So, again, our work is far from over. But as we take this significant step in the right direction, I would be remiss in not acknowledging the dedicated, collaborative efforts of colleagues who recognize the importance of the task at hand, particularly Chair SUSAN COLLINS—clearly, the most outstanding Appropriations chair in the time that I have been here—and my counterpart CHRIS COONS. Both have been fabulous supporters.

I am also deeply grateful to the talented professional staff who have given so many nights and weekends to pull fiscal year 2026 appropriations finally across the finish line.

On the majority side, Rachel DaPieve, Laura Forrest, Megan Handal, Cole Hodge, Alexa Lorick, Todd Phillips, Kathryn Plunkett, Kim Segura, Tom Shaffer, Elise Stebick, and, of course, the fearless leader to the left here, Robert Karem. We have been friends and collaborators for a long time, and there is nobody better on this subject.

I know my team has appreciated close collaboration with their counterparts on the minority staff, including Gabriella Armonda, Dylan Byrd, Abigail Grace, Brigid Kolish, Ryan Pettit, led by Rob Leonard.

My sincere thanks are with each of them for their devotion to such a worthy task.

But as Henry Kissinger observed, "Each success only buys an admission ticket to a more difficult problem."

So after taking the weekend to catch their breath, I will look forward to welcoming the team back to the appropriations salt mines next week.

The President's \$1.5 trillion defense budget for next year is a worthy goal, and after Congress finishes its work on

fiscal year 2026, we will stand ready to do our part to help him achieve it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

DEPARTMENT OF HOMELAND SECURITY

Mr. SANDERS. Madam President, it is no secret to the American people that our country today faces a series of enormous crises: our healthcare system basically collapsing, despite the huge amount of money we spend on it; millions of Americans cannot afford housing; 800,000 people are homeless.

We have massive levels of income and wealth inequality. People on top have never ever done as well as they are doing right now while at the same time 60 percent of our people are living paycheck to paycheck. Working people are struggling to put food on the table, pay for housing, pay for healthcare, pay for education.

And maybe most frighteningly from an economic point of view, for the first time in the modern history of our country, our younger people may actually have a lower standard of living than their parents, despite all of the advances we are seeing in technology and worker productivity.

Those are all enormously important issues that we have got to address. But there is one issue out there that is even more pressing and more important, and that is that this country, under President Trump, every single day is moving closer and closer toward an authoritarian society where we have a reckless and unbalanced President who wants more and more power in his own hands.

This is a President who has made it clear he has contempt for Congress and will usurp the power, the constitutional responsibilities Congress has—contempt for the courts, attacks the media every day, does not believe in freedom of dissent, goes after universities.

And now on top of all of that, what we are seeing is that one of our great American cities—Minneapolis, MN—is essentially being occupied by ICE. And what is going on in Minneapolis and has gone on in other cities is not what this country is about, and it is about what this country must never become.

We do not want and we do not need what amounts to a domestic army going into region after region, terrorizing the occupants of those communities.

We do not want or need and must never allow Federal agents, people paid by Federal tax dollars with masks on their face knocking down doors, ignoring the Constitution, grabbing people, putting them into unmarked vans, taking 5-year-olds away from their parents, putting them in detention centers, shooting American citizens in cold blood.

So what ICE has become is not an Agency of Immigration and Customs Enforcement, what it has become is Trump's domestic army.

And I would hope that my conservative friends—people who year after

year get up here and say: We believe in small government, get the government off our backs, the local communities make their own decisions—finally stand up and say that in America we do not need a domestic army terrorizing communities throughout this country.

In the so-called Big Beautiful Bill, Congress not only made massive cuts to Medicaid and the Affordable Care Act, it not only gave a trillion dollars to the top 1 percent at a time when we have unprecedented income and wealth inequality, it did something perhaps even more dangerous. In that bill, as many will recall, Congress appropriated \$75 billion over a 4-year period to go to ICE on top of their previously appropriated \$10 billion in funding.

So it used to get \$10 billion a year for Immigrations and Customs Enforcement, and suddenly on top of that, they are \$75 billion over a 4-year period.

And that is not funding Immigration and Customs Enforcement. That is, in fact, funding a domestic army. And I think all over this country, whether you are progressive, whether you are conservative, whether you are a moderate, people are looking at what is happening in Minneapolis and elsewhere and saying: Do you know what? That is not what this country is supposed to be about.

So my understanding is that in a reasonably short period of time, we are going to begin a discussion on the minibills that are before us, and I have an amendment in that bill which would cut that \$75 billion from the so-called Big Beautiful Bill that went to ICE. And I would direct that money to go to protect the millions of people who that bill threw off of Medicaid. As everybody will remember, we are in the midst of a major healthcare crisis. People can't afford healthcare. The Big Beautiful Bill threw 15 million people off of Medicaid.

So instead of funding a domestic army which breaks the Constitution every day, we should be putting that money to help the people of our country get the healthcare that they need.

I look forward to support for that amendment.

I yield the floor.

The PRESIDING OFFICER. (Mr. MCCORMICK). The majority leader.

ORDER OF BUSINESS

Mr. THUNE. Mr. President, I ask unanimous consent that the motion to proceed to H.R. 7148 be agreed to; further, that the only amendments in order be the following, if offered: Paul No. 4272, Schmitt No. 4241, Lee No. 4236, Lee No. 4234, Lee No. 4286, Sanders No. 4290, Merkley No. 4287, Collins No. 4273; that there be 30 minutes of debate equally divided between the two leaders or their designees on the amendments, and upon the use or yielding back of that time, the Senate vote in relation to the amendments in the order listed and with 60 affirmative votes required for adoption of the Sanders amendment No. 4290; further, that following disposition of the

Merkley amendment No. 4287, the Collins amendment No. 4273 be agreed to; H.R. 7148, as amended, be read a third time, and the Senate vote on passage of H.R. 7148, as amended, with 60 affirmative votes required for passage and with no intervening action or debate; finally, if passed, the motion to reconsider be considered made and laid upon the table.

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

Mr. THUNE. Mr. President, I ask unanimous consent that there be 2 minutes of debate equally divided prior to each vote in this series, and that all votes after the first vote be 10 minutes in length.

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

The PRESIDING OFFICER. Under the previous order, the motion to proceed to H.R. 7148 is agreed to.

The motion was agreed to.

CONSOLIDATED APPROPRIATIONS ACT, 2026

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 7148) making further consolidated appropriations for the fiscal year ending September 30, 2026, and for other purposes.

Thereupon, the Senate proceeded to consider the bill.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 4272

Mr. PAUL. Mr. President, I call up my amendment No. 4272 and ask that it be reported by number.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A Senator from Kentucky [Mr. PAUL], for himself and Mr. LEE, proposes an amendment numbered 4272.

The amendment is as follows:

(Purpose: To eliminate funding for refugee and entrant assistance)

In title II of division B, under the heading "REFUGEE AND ENTRANT ASSISTANCE (INCLUDING TRANSFER OF FUNDS)" under the heading "ADMINISTRATION FOR CHILDREN AND FAMILIES", strike "\$5,163,956,000" and all that follows through "sections 462 and 235." and insert "\$0."

Mr. PAUL. Mr. President, a freelance journalist discovered recently that billions of dollars had been stolen from welfare programs in Minnesota. Congress didn't discover this theft; a member of the public did. How did Congress respond? Did Congress open an investigation? Did Congress claw back the money from Minnesota? No. Congress simply decided to give another \$5 billion in refugee welfare.

My amendment says: Stop. No more welfare for refugees until there is a nationwide investigation of the level of this fraud. No more welfare for refugees until Congress balances the budget.

America can't be the world's sugar daddy when we can't even afford welfare for our own citizens.