



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 119<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 172

WASHINGTON, WEDNESDAY, FEBRUARY 11, 2026

No. 29

## Senate

### LEGISLATIVE SESSION

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

#### PRAYER

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

Let us pray.

Eternal Savior, we need You every hour. We not only need You during crisis moments but also in the solitary minutes of daily living.

Our lawmakers need You. As they open their hearts to You, fill them with power, mercy, and grace for their task. Show them Your will for our times, and give them the wisdom to say: Speak Lord, for we are listening.

May the inspiration they receive from You keep their hearts pure and their words true and their deeds kind.

Lord, do for them more than they can ask or imagine.

We pray in Your glorious Name. Amen.

#### PLEDGE OF ALLEGIANCE

The President pro tempore 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.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. BANKS). Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2026—Motion to Proceed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 7147, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 311, H.R. 7147, a bill making further consolidated appropriations for the fiscal year ending September 30, 2026, and for other purposes.

The PRESIDING OFFICER. The Senator from Iowa.

#### LITHUANIA

Mr. GRASSLEY. Mr. President, I am here to speak about a country that loves freedom, and they are also a friend of the United States and have had a good relationship with the United States.

It happens that, on February 16, 1918, the Act of Independence of Lithuania was signed by the Council of Lithuania. This act proclaimed independence from the Russian Empire and the restoration of the historic State of Lithuania to be governed, as we would expect, with democratic principles.

Some people may be thinking: Isn't Lithuania a former Soviet Republic?

No, Lithuanians and their statehood go back to the 13th century, but the modern Republic of Lithuania has existed since 1918.

The United States has maintained continuous diplomatic relations with Lithuania way back since 1922. In fact, the Republic of Lithuania has occupied the same building here in Washington, DC, for over 100 years.

The United States made crystal clear, at the time—1940, that is—and ever since, that it would not recognize the Soviet annexation of Lithuania, Latvia, and Estonia, those three countries that sometimes we refer to as the

Baltic States. And I am proud of the fact that the United States has made that crystal clear. I am sure that many people thought this stance was somewhat silly and didn't recognize the reality of what it meant to be under Soviet domination.

In the depths of the Cold War, the notion of Lithuania restoring its de facto independence seemed very, very far-fetched. But, today, Lithuania is free and prosperous and one of the most pro-American countries in the world. Lithuania is a close U.S. ally and a beacon of Western values on the frontlines of freedom.

This example of freedom and economic opportunity on its border rankles the Soviet-like Russia, as we know it today. You can tell by the rhetoric coming from the Putin regime. For instance, the Putin regime sometimes suggests that the vote of the Soviet Duma recognizing Lithuania's independence from the Soviet Union was not legal.

Of course, if you know the history that I have just explained, that is an absurd position, because the Soviet occupation of Lithuania itself was never legal, and the United States never recognized it as being legal.

Lithuania, today, is a good friend of the United States and a model North Atlantic Treaty Organization ally.

I congratulate the people of Lithuania on their independence day and thank them for their friendship.

I yield the floor.

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

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

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

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



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## GOVERNMENT FUNDING

Mr. THUNE. Mr. President, on Friday, funding for the Department of Homeland Security will expire. When we passed a short 2-week stopgap for the Department, at the Democrats' insistence, many of us said it would not be long enough. I made that case repeatedly.

Standing here today, I regret to say that we have been proven right. The renegotiation the Democrats demanded with the Trump administration, last month, is, unsurprisingly, taking some time.

Democrats have had more than a week to coalesce around a set of demands. It was just this past weekend that they put those demands into writing.

On Monday, just 2 days later, the administration countered, and I expect Democrats will shortly receive detailed text for further consideration—a quick turn, I might add, after a long wait—by any measure, a good-faith engagement from our friends at the White House.

Do I think the parties are on a path that could culminate in a deal? Yes.

Will they need more time to get there? Absolutely.

So I hope our Democrat friends will remain at the table and give talks more time to mature. The alternate path should interest no one, and that is a needless shutdown that will see funding lapse for our Coast Guard, for our cyber security, for airport security, and for disaster response.

We have been able to pass 11 of the 12 full-year appropriations bills into law this year, and, as I said, I am hoping we can get that 12th bill done soon. We have made considerable progress this past year restoring the regular-order appropriations process.

And thanks in no small part to a more open process, this year's appropriations bill delivered significant wins for the American people.

Today, I want to take a moment to talk about some of the healthcare wins for Americans in the most recent appropriations package. This most recent package included a number of Member-driven priorities to bring down the cost of prescription drugs, increase access to care, improve healthcare quality, and support treatment of diseases that affect literally millions of Americans. And I want to thank Chairmen CRAPO and CASSIDY for their leadership in crafting this package and for literally years of hard work on these issues of great importance to the American people.

One of the top issues for the American people is the cost of prescription drugs. It is a problem not just in my home State of South Dakota but around country. And the status quo is challenging for patients and for independent pharmacies that often serve small towns and rural communities. But under the Republican majority, Congress has taken concrete actions to drive down costs at the pharmacy counter. That starts with pharmacy

benefit manager—or PBM—reform. The recent appropriations package included provisions from two bills to address PBM practices that can drive up the cost that consumers pay for prescriptions.

Policies from Senators CASSIDY and MARSHALL's bill, the Pharmacy Benefit Manager Reform Act, will increase accountability and transparency for PBMs. And when a PBM gets a discount or rebate from a drugmaker, this bill ensures that those savings are incorporated into the health plans that many working Americans rely on to afford their healthcare and prescriptions.

We also included in the appropriations package provisions from the PBM Price Transparency and Accountability Act authored by Senator CRAPO and supported by nearly all of the Republican members of the Finance Committee, which removes incentives for pharmacy benefit managers to promote higher priced medications at the expense of seniors. This bill also reinforces requirements that protect independent pharmacies and ensure that they can continue serving their communities.

In addition to these commonsense policies, we also took action to improve access to generic drugs, which are often a more affordable option for millions of Americans seeking relief for different health conditions. Senators PAUL, HUSTED, and LEE worked together on the Increasing Transparency in Generic Drug Applications Act, which streamlines the approval for generic alternatives to brand-name drugs, which will help ensure that these safe and less expensive alternatives reach the market more quickly.

And that is not the only thing we did to help accelerate access to medications. Senator MULLIN's bill, the Mikaela Naylon Give Kids a Chance Act will drive development for pediatric cancer drugs. Sadly, Mikaela Naylon lost her battle with cancer this past October. For 5 years, Mikaela sought treatment around the country, and she was a tireless advocate for other children with cancer. And this law is a fitting tribute to Mikaela's fight.

We also addressed access to treatment for children with significant healthcare needs and rare diseases. Senator GRASSLEY's Accelerating Kids' Access to Care Act simplifies the process for children on Medicaid and the Children's Health Insurance Program with complex medical conditions to get care outside their home State. Unfortunately, regulatory hurdles have too often stood in the way of parents' efforts to get their children essential care, wherever it may be located. By removing redtape, Senator GRASSLEY's bill will help ensure that vulnerable children can get the expert care they need when they need it.

Then there is Senator CAPITO's Innovation in Pediatric Drugs Act, which closes the research gap between rare

disease treatments for adults and children by ensuring that drugmakers conduct pediatric studies on drugs for rare diseases.

I am also proud of what we have done to improve access to care. In the Working Families Tax Cuts, we took measures to support rural hospitals. And the appropriations package also includes support for patients to receive care at home. That starts with extending telehealth waivers that have become a critical lifeline for so many patients living far from a healthcare provider, like patients in rural areas. It also includes Senator TIM SCOTT's provision on the Acute Hospital at Home Waiver Program, which helps continue a successful program that helps Americans get the acute care they need without having to be admitted to the hospital.

There is a lot more I could talk about when it comes to healthcare wins for the American people. There are Senator COLLINS' provisions to support type 1 diabetes research and help family members acting as caregivers; Senator MARSHALL's Fair Billing Act, which will help ensure that patients are billed appropriately based on where they receive care and will empower them against unfair facility fees; Senator CRAPO's work on coverage for multicancer early detection screening; and Senator BOOZMAN's work to support organ donors and moms with preemie babies.

Our most recent appropriations package contains numerous healthcare policies that will benefit the American people. It will help bring down healthcare costs, improve access to quality and affordable healthcare, and ensure that the United States remains a leader in healthcare innovation, and it will help ensure that innovations can reach the Americans who need them, especially children.

We passed 11 full-year appropriations bills by engaging Members of both parties, and every one of these healthcare wins is a result of that work. And when I say "wins," I don't mean for the Senators and Congressmen who wrote these bills. These are wins for the American people to help them live healthier, happier, and longer lives.

I yield the floor.

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

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

## ORDER OF PROCEDURE

Mr. THUNE. Mr. President, I ask unanimous consent that the following Senators be permitted to speak for the following number of minutes and, finally, that Senator SCOTT of Florida or his designee be recognized to make a motion to proceed to Calendar No. 315, H.J. Res. 142: Senator SCHUMER for 15 minutes, Senator DURBIN for 15 minutes, Senator SCHATZ for 10 minutes,

Senator BOOKER for 10 minutes, Senator MURPHY for 10 minutes, Senator WARNER for 5 minutes, Senator VAN HOLLEN for 10 minutes, Senator ALSOBROOKS for 5 minutes, Senator KAINE for 10 minutes, Senator WYDEN for 5 minutes, Senator HOEVEN for 10 minutes, Senator KENNEDY for 20 minutes, and Senator SCOTT of Florida for 5 minutes.

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

TRUMP ADMINISTRATION

Mr. SCHUMER. Mr. President, yesterday, something happened in America that should send a chill down the spine of every American. A grand jury rejected the Justice Department's attempt to indict six Democratic lawmakers over a video they posted telling military members not to follow illegal orders.

The President of the United States tried to use prosecutors to silence the free speech of sitting elected lawmakers because he didn't like what they said. That is a line no President—no President—in modern American history has ever crossed.

The video in question broke no laws. It simply urged members of our military to refuse unlawful orders, to honor the Constitution above any individual. What these Members of Congress said was not radical. It is embedded in the oath every servicemember takes. The only "crime" committed here was refusing to bend the knee to Donald Trump. And when this administration tried to dress up retaliation as prosecution, a grand jury of Americans rejected it.

Today, I just want to say how proud and grateful I am for my colleagues Senators SLOTKIN and KELLY, as well as Representatives CROW, DELUZIO, GOODLANDER, and HOULAHAN. The entire Democratic caucus is proud of them—proud of their courage, their poise, their loyalty to our democracy and to our Constitution. Senate Democrats will not let this witch hunt go unanswered. The American people deserve to know whether prosecutorial power was misused—abused—for political ends.

And I say to my Republican colleagues: If the executive branch can merely attempt to prosecute Members of the legislative branch for simply exercising free speech, that is not a Democratic problem or a Republican problem; it is a constitutional crisis. If Republicans believe in the Constitution, if they believe in separation of powers, now is the moment—if there ever was one—to prove it.

Yesterday, the Constitution held because ordinary citizens in a grand jury upheld it. They upheld it when this administration refused and when Senate Republicans remained silent.

But we should not confuse failure with intent. Yes, this indictment failed, but the mere fact that it was even attempted is alarming. This in-

dictment was a test—a test of whether Federal prosecutors could be weaponized to become political henchmen, a test of whether dissent could be smeared as criminality, a test of whether fear could suffocate freedom. That test should make our bones tremble.

Today, it was six Democrats. Tomorrow, it could be anyone—because if a President believes that he can even attempt to jail Senators over speech he dislikes, then the First Amendment is no longer a basic right. It becomes a privilege, one that some Americans get to have and others don't, depending on their political views.

And what would that mean for every journalist, every protester, every citizen who dares to dissent? It would mean more jailings, more investigations, more masked agents beating up unarmed, peaceful protesters in the streets. It is happening already, and if we don't halt it, it is going to get a lot worse.

The First Amendment is not optional. It doesn't depend on your political views, and it is not subject to the personal sensitivities of any President.

Finally, the failure of this indictment does not erase what it represents: a President willing to test whether the criminal justice system can be weaponized against his political democracy—something that, if he succeeded, would stab a dagger through the heart of this democracy and all it represents. The Founders wrote our Constitution precisely to prevent the kind of abuses Donald Trump and his Justice Department are doing. Thank God—thank God—that, today, the Constitution held firm. But we cannot always assume that that will be the case if we aren't willing to defend it.

So I am proud of Senators KELLY and SLOTKIN. I am proud of Representatives CROW, DELUZIO, GOODLANDER, and HOULAHAN. They stood by their oath. Now, this Chamber must stand by ours.

It is a very good thing that these indictments failed, but these indictments go way beyond six Members of Congress recording one video. Donald Trump has declared war on free speech in America—the wellspring of our democracy, free speech—and he is using the vast powers of the Federal Government to go after anyone who tries to stand up to him.

To my Republican colleagues: Silence in moments like this is not neutrality. It is permission. It is submission. It is acquiescing to the possibility that our democracy may be dying.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, let me associate myself with the remarks of the minority leader, Senator SCHUMER.

What happened yesterday in the courts of the District of Columbia was, on one side of the equation, frightening and, on another side, encouraging—frightening that any administration would think that they can quash the

free speech of Members of Congress, that they can be indicting people and charging them with crimes for simply speaking out as an elected Member of Congress.

Like Senator SCHUMER said, there is no precedent that I can think of in American history. There has never been a President who used the Department of Justice to quiet Congress in this way. We have gone through many events in the history of the United States that are earth-shattering—the Civil War being the worst—but we have never seen this happen.

The fact that the grand jury of residents in the District of Columbia stood up and rejected this indictment of two Senators and several Members of the House is proof positive that people still understand the basic values of our Constitution. And one of them is our freedom of expression, freedom to speak, freedom to express our point of view. They stood up yesterday in an extraordinary fashion.

Why did it ever reach this point that the U.S. attorney for the District of Columbia tried to quiet Members of Congress because of the objection of the administration to what they were saying? This was a test. I hope it was the last test. We shouldn't be so naive as to believe it is. It is up to us, Democrats and Republicans—for the good of the Congress and the value of the Constitution—to stand behind those Members who are exercising their rights as elected Members of Congress.

Mr. President, 2 weeks ago, in another event which is worth noting, the FBI descended on Fulton County, GA, to seize hundreds of thousands of ballots from the 2020 Presidential election. Reports indicate President Trump personally ordered the Director of National Intelligence TULSI GABBARD, a prominent 2020 election denier, to go to Georgia for the raid. The President then spoke directly to the FBI agents who conducted the raid.

To state the obvious, it is completely, completely inappropriate for the President and the Director of National Intelligence to be personally involved in a domestic criminal investigation, but Attorney General Pam Bondi has allowed the President to weaponize her Department and Federal law enforcement to pursue his personal and political goals.

Why did they target Fulton County? It is notorious because this jurisdiction has been at the center of President Trump's false and baseless claims concerning so-called fraud in the 2020 election, an election he still refuses to acknowledge and concede. I remember well that recorded conversation on the telephone between the President of the United States Donald Trump and the Georgia secretary of state. It was in early 2021. And President Trump directed the Georgia secretary of state to "find" the 11,780 votes he needed to swing the election his way. He said it. Those were his words, his voice.

And I remember when he incited a mob of his most ardent supporters to

storm this very Capitol, this very Senate Chamber, to subvert the will of the people and overturn the results of a free and fair election.

He failed. But now his endgame for 2026 has become clear. He is working to rewrite the rules of the game and to rig the system to ensure that he maintains his grip on power, beyond the reach of the American people in a free and fair election.

Don't believe me? Think about the past. Last year, in the spirit of this order to Georgia officials to find 11,780 votes, President Trump demanded that the State of Texas find him five more congressional seats before voters headed to the polls this coming November. Donald Trump demanded Republicans in the Texas Legislature gerrymander five red seats in a redistricting scheme so that he could cut his losses—literally—and hold onto the House after the upcoming midterm. In the meantime, the administration has deployed thousands of immigration enforcement agents to cities like Minneapolis and Chicago, cities in States that did not vote for President Trump.

I never thought I would witness an America where masked Federal agents in military tactical gear violently arrest innocent Americans because of the color of their skin—the so-called Kavanaugh stops—an America where citizens like Chicagoan Marimar Martinez can be shot five times by Federal agents with impunity and be branded falsely as a domestic terrorist.

Thankfully, unlike Renee Good, Alex Pretti, and Silverio Villegas Gonzales, Ms. Martinez survived and testified 2 weeks ago.

DHA has directed immigration agents to crash down the doors of our private homes to arrest people without any judicial warrant, in blatant disregard of the clear language of the Fourth Amendment.

In the wake of this immigration enforcement surge and the ensuing chaos, Attorney General Bondi had the nerve—the nerve—in a letter to Minnesota Governor Tim Walz, to offer him a reprieve. All he had to do was to turn over the voter files of his State. Thankfully, he refused. An attorney from the State described it as a “ransom note” from the Attorney General.

If you are Donald Trump, you want these voter rolls to push unwarranted purges and disenfranchise voters—especially voters who are unlikely to support you in the next election. In fact, the Justice Department has now sued dozens of States for their voter rolls.

All of this is textbook authoritarianism, vintage fascism, and I fear the President of the United States is working to rig the system to ensure the Republicans never lose another election. Has that thought crossed their minds? Listen to what Trump ally Steve Bannon said last week:

We're gonna have ICE surround the [polling places]. . . . We'll never again allow an election to be stolen.

You heard that right. Donald Trump and his allies want to deploy militarized agents to polling locations to intimidate and deter Americans from actually voting.

In deploying ICE and attempting to deploy the National Guard, Trump has already established a precedent for a paramilitary force that answers only to him patrolling our streets.

Last week, Trump said the quiet part out loud. Here is what he said:

The Republicans should say, “We want to take over. We should take over the voting in at least . . . 15 places.” The Republicans ought to nationalize . . . voting.

Those are the words of Donald Trump.

Article I of the Constitution and decades of Supreme Court precedent make it clear that the President cannot take over the administration of elections from the States.

I am old enough to remember when Republicans actually cared about the Constitution and the concept of federalism.

Imagine for a moment if Barack Obama or Joe Biden had called for nationalizing elections and told Federal agents they can raid private homes without judicial warrants of approval.

The President's aims are clear: He wants to make the case for the Big Lie that the 2020 election was stolen from him so he can assuage his fragile ego and justify directly interfering in the 2026 and 2028 elections.

Republican Senators won't speak up, but the American people at the polls will. In the streets of Minneapolis and Chicago and in the Halls of the U.S. Capitol, we hear their voices. We will do everything in our power to save our democracy from a President with such disdain for our Constitution and our democracy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, where is the redline? You know, a lot of us wake up every day trying to figure out, exactly how bad is it? Is this the moment that Republican Members of the U.S. Senate are going to stand up for not our rights but their rights and not just U.S. Senators but everyone who put us in office?

Last night, there was a failed indictment of two U.S. Senators, and the indictment—we don't know what they were charged with, but it was about a 90-second video in which they reiterated the guidance from the Uniform Code of Military Justice.

By the way, even if you don't like what they said; even if you thought it was unwise, what they said; even if you thought it was provocative, what they said, it was not illegal. They have a perfect right under the Constitution, the First Amendment, to express themselves. That is not illegal. That is not seditious. That is not worthy of a court-martial. That is literally them doing their jobs. You can criticize them in the manner in which they do

their jobs, but you may not incarcerate them.

In addition to the First Amendment, they have specific constitutional rights for Members of Congress under the speech and debate clause. In other words, if you are doing something as a U.S. Senator—and they very clearly were—you have additional protections. Why does that matter? Not because we are overly concerned with 100 of the most privileged people on the planet but because this place represents U.S. citizens who put us all into office, and then we get to say what we want.

So I ask my colleagues, where is the redline? Apparently not this one. Why?

I have had several interactions with my Republican colleagues, and it basically comes down to “Well, the system held. This was a failed indictment.”

So here is my question for my Republican colleagues: What if it is successful? What if Pam Bondi instructs Jeanine Pirro to try again and again and again until they perp-walk ELISSA SLOTKIN and MARK KELLY and incarcerate them? Is that your redline?

It is not obvious to me that anybody has even contemplated where exactly the line is. For me, it has been crossed. For me, it has been crossed. But I just ask my colleagues, do you even have a line? Is there some Rubicon that, if they cross it, you will say “My God, I don't want to speed-run this place into turning into Belarus”?

It is not that important to have this job if what it means is we are collapsing American-style democracy on purpose. And whatever irritation I have with another Member from another party at what they said or did, that is not illegal, and they should not be incarcerated.

The fact that they failed in their attempt to incarcerate a U.S. Senator should not obviate our outrage. They tried to incarcerate two of us.

I am not entirely sure that the U.S. Senate can survive this if we do not have Republicans standing up for our most basic principles.

Tomorrow night, very likely, a bunch of people are going to go to the Munich Security Conference, and on a bipartisan basis, they are going to say: American-style democracy is still intact. Look at this bipartisan coalition. We still want to be part of the world. We still want to be engaged with Europe. We still want to protect democracies.

They are going to say nothing about the fact that the President tried to jail one of us.

So spare me the high-minded panel discussions and bilats and press availabilities about the United States as the indispensable Nation when we are dispensing with our most sacred constitutional obligations.

You know, now it was a long time ago, but it feels like yesterday that I was first sworn in right in that corner. I don't remember exactly, but you swear an oath to the Constitution and laws of the United States of America

and that you take that obligation freely and without any mental reservation or purpose of evasion. And I am afraid we are evading our most fundamental responsibilities.

So I don't have any illusions that this speech is going to change everybody's mind, but I would just start the dialogue. What is it going to take for you to say enough is enough?

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I had a sleepless night last night as I put together in my mind where I think we are as a nation right now. We are a nation that, looking across our great land, showed unequivocally that we are in crisis. We are in a constitutional crisis.

From people in our communities to people in this body, we are seeing grotesque—grotesque—attacks on our most sacred constitutional principles.

As I sat last night, I found myself scrolling through words of our Founding Fathers, and something Madison said really stuck out to me: that power needs to be checked; power needs to be balanced; power derives its right from the consent of the governed, but power itself does not self-correct.

I look at what is happening from the executive branch and see over and over again grotesque violations of our Constitution, and this body is doing nothing. The list of what is happening is clear. It is actually making headlines. It is not something that can be ignored.

When you see the President of the United States taking power from the people, taking power from the executive, resisting the power of the judiciary, breaking the rule of law and nothing happens, it reminds me of Frederick Douglass: Find out just what a people will submit to, and that is the exact amount of injustice that will be heaped upon them.

Well, what are the constitutional ruptures we are seeing so clearly right now? Well, we have seen them with the President's grift, graft, and corruption.

I said this to some of my colleagues earlier: If a headline had appeared a few decades ago of a President of the United States and a sheik coming together days before he ascends to the Presidency, where that sheik is giving him tens of millions of dollars in what amounts to a direct payout, enriching him and his family in a trumped-up crypto scheme—that is clearly seen by our Founders as a breach of the Constitution in a clause called the emoluments clause.

This President is using his position to profit off of as he oversees foreign policy, and we are seeing leaders come to him and give him millions of dollars, as they have foreign policy considerations before them. That is a rupture of the Constitution.

What is another example? We are literally seeing people in the streets in Minnesota, exercising their constitu-

tional right to protest, their constitutional right of speech, their constitutional right to hold law enforcement accountable, for doing nothing wrong but filming law enforcement—how many of us have seen the videos of people filming law enforcement and getting beaten, getting literally kicked, getting handcuffed, being put in jail, or the worst of all constitutional violations is when you attack someone's life, as we saw with Alex Pretti being murdered.

We see more ruptures to our Constitution—not just the oppression of the basic rights of our people but that other sacrosanct right that our Founders saw when it comes to the right to vote.

We have a President saying literally that the Constitution should not apply, that we should federalize elections. You see the President sending his Justice Department not to investigate the last election or the election before that—not the election he won but going back to 2020's election and seizing private voting records that belong to the State, in a claim that has been proven wrong over and over again that there was some kind of election fraud—the Big Lie, as it is called. That, too, is a rupture of our Constitution.

He is violating voting rights. He is violating speech rights. He is violating the freedom to protest your government. He is violating the emoluments clause. He is violating the powers of the legislative branch as he stops funding that was approved in a bipartisan way in this body, like he just did in my State with the biggest infrastructure project there is.

Again and again and again, this President is violating our Constitution.

From, literally, agents masked jumping out of unmarked cars, going into our churches, going into our schools, this President violates our Constitution over and over and over again.

But here is a truth spoken when constitutional rights were violated against an activist named Angela Davis—that this body is now seeing clearly what James Baldwin wrote. You see, the truth of our land has always been “injustice anywhere is a threat to justice everywhere,” as Martin Luther King says. As the great Langston Hughes wrote in poetry, “There's a dream in the land, with its back against the wall . . . To save the dream for one,” you must save the dream “for all.”

Well, here are the rights. Here is the sacrosanct document that we swear oaths to—the Constitution. Here is the truth that the injustices you are seeing and the violations will be visited upon this body, because, as James Baldwin wrote so clearly, if they come for you in the morning, they are going to come for me at night.

Well, we have now seen, last night, that they are coming for Members of this body, and no, I am not talking about House Members like LAMONICA MCIVER, who has been thrown out, handcuffed, and is on trial right now.

No, I am not talking about ADAM SCHIFF, who was investigated for trumped-up charges. No, I am not talking about ALEX PADILLA, who was thrown to the ground and handcuffed in a Federal building. No, I am talking about my colleagues ELISSA SLOTKIN and MARK KELLY, who literally quoted military manuals that say it is illegal to follow unjust and illegal laws—that they have a right to not follow unjust, illegal orders—literally quoting what is the law of the land.

And what did this out-of-control Executive do? What did this out-of-control Executive do—an Executive that has already reached and taken away the power of the purse; an Executive that has already violated court orders that we have seen come from the highest office in the land, the Supreme Court; an Executive who has violated the emoluments clause; a President who brags about taking away States' rights to control their own elections; a President that has violated the law, time and time again? What did he do with his Justice Department? He called together a grand jury, used officials from our Justice Department that should be keeping us safe—used them to go after two Members of this body in an attempt to criminally charge them for their constitutional rights, protected in the Constitution, the speech and debate clause.

There are books that have been written—from “On Tyranny” to “How Democracies Die”—long before this administration, that predicted that this country's real threat will not be from some foreign enemy; it will be from internal corruption that goes unchecked—that this Nation's real threat is not from any adversary that cannot beat this Nation, this mighty country. The real threat to this Nation is when the Constitution we swear an oath to is eroded and the people with the power to stop it do nothing.

That is how great nations have fallen in the past, not from those who violate the Constitution, who violate the rule of law, who violate the freedom of the people. Nations fall when the people that have the power to do something about it remain silent, sit on the sidelines, remain quiet, or submit to the will of an out-of-control Executive.

The road to hell is paved with people who have the power to stop bad things from happening but say nothing. Our constitutional norms, the laws of our land, and the principles upon which we stand are being violated every week in our Nation. Americans are being swept up off of our streets. Americans' freedom of speech, Americans' privacy, the lives of American citizens are being taken—

The PRESIDING OFFICER. The Senator's time is expired.

Mr. BOOKER. Even people in the Senate being arrested, and so now I say unequivocally—

The PRESIDING OFFICER. The Senator's time is expired.

Mr. BOOKER. I ask unanimous consent for 2 more minutes. Is there an objection?

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

Mr. BOOKER. In this body, I see cowardice now. I see people afraid that the President will retaliate against them if they stand up and say something.

Well, Thomas Jefferson said clearly: When the people are afraid of government, there is tyranny. When the government is afraid of the people, there is liberty.

We have a President that calls people up and threatens to run primaries against my colleagues. We have billionaires that say: I will put \$21 million in opposition if you don't submit to the unconstitutional actions of the Executive.

Two of our colleagues, arrested for their free speech—a grand jury summoned to try to arrest them for their free speech, and I hear silence.

We are in a constitutional crisis. The silence is complicity. The failure to stand up and speak up is an insult to our ancestry. We are in a moment of crisis. I fear for this body. I fear for this institution. I fear for our Constitution.

But I still have faith in the people. We can stop this erosion of our constitutional norms. We can stop this democratic backsliding. We can protect our rights and our values. But more people need to speak up. And it is a shame upon this body that those who have power and position now do nothing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, the tendency here in the Senate often, when Democrats are lodging a complaint about Donald Trump, is for our Republican colleagues to issue an argumentative equivalency: Well, Donald Trump did this, but so did Joe Biden. Donald Trump did that, but Joe Biden did this.

We are at a moment today, though, in which there is no argument of equivalency. And, in fact, over and over again in the past year, we have seen threats to our democracy that have no historical precedent.

We must be able to agree that never before in the history of the Senate has a President of the United States sought to jail Members of this body based upon their political opposition to the President of the United States.

All that our colleagues did was record a video in which they simply repeated the law of the land, the existing military code. They said things into a camera that the current Secretary of Defense has said himself, almost verbatim.

But because he was reciting, because she was reciting a portion of the military code that the President objects to, because it was inherently a criticism of the President, they are now facing down possible indictment.

It doesn't really matter that the grand jury refused to indict because, if they continue to come back over and over again for an indictment, they will likely find, at some point, some compliant grand jury, and we will find our colleagues headed to jail simply for exercising their free speech.

Never before in the history of our country has something like this happened. And I understand that for all of us who have grown up in a relatively safe and secure American democracy, contested by foreign adversaries but never under any real threat that we were going to lose the democracy from within, we have come to believe some sense of inevitability about the survivability of American democracy.

But every civilization, every form of government, has an expiration date. Every attempt at republicanism or democracy, over the course of this globe's history, has ended, and ours will end at some point. Our job as Senators, whether you have an "R" after your name or a "D" after your name is to make sure that that end doesn't happen on our watch.

And at some point, you have to look at the series of exceptional, unprecedented events that have happened in the last year and see them as part of an unprecedented, ahistorical pattern.

I agree with my colleagues. Long ago, in my mind, we crossed the redline. But think about it, if the shoe were on the other foot. I want my Republican colleagues to think about what you would say if a Democratic President opened up a criminal investigation into the Chairman of the Federal Reserve simply over a dispute over interest rate policy.

What would my Republican colleagues say if a Democratic President deployed the National Guard against a Republican State like Texas or Louisiana? Would our Republican colleagues think it was a redline if Sean Hannity was taken down, off the air, by a Democratic President's FCC? What would Republicans say?

Would it be a confrontation with American democracy if journalists were removed from a Democratic President's Pentagon because of their critical stories about the Democratic administration's policy?

Would Republicans think there was a problem if universities were denied funding because they weren't hiring enough liberal, leftwing professors? How about if a Democratic President confiscated ballots in one of your States so as to prove that Donald Trump didn't really win the election—that it was fraudulent?

Or what if he indicted or attempted to indict two of your Members, two Republicans, simply because they had raised their voices in objection to a Democratic President's policies?

We all know the answer to every single one of those questions. If a Democratic President had done any of those things, you would be shutting down the U.S. Senate. You would be labeling

each and every one of them as a potentially existential threat to our democracy, and you would use every lever available to you to try to confront that abuse of power.

There is no equivalency argument. President Biden didn't do any of the things that I just listed. And, yes, I know my Republican colleagues have objections about the way that he used the Department of Justice, objections about the things he said about Republicans, but never, never were Republican Senators facing a grand jury, the threat of indictment hanging over their heads simply because they spoke truth that a Democratic President objected to.

At some point, this democracy will die, and our purpose here is to improve the quality of life for our constituents but to protect the democracy at all costs. There has to be a bipartisan response to the broad abuses of power but, specifically, right now, to the fact that two of our colleagues are on the verge of being arrested by this President simply based on their political opposition to the President.

This is a moment where we could decide to agree. Not everything has to be skins and shirts. Not everything that we think has to automatically be wrong. We could very easily decide this week that it is not acceptable for the President of the United States to attempt to throw into jail his political opponents in the Senate and in the House.

And maybe that could provide a springboard for us to decide that there are other abuses of Presidential authority that may, in the long run, harm both Republican and Democratic interests but fundamentally harm the health of our democracy, and that we could join together in league against as well.

This is a moment of test for the Senate. I agree with my colleague Senator SCHATZ. This is a moment that could break this institution permanently if it is only Democrats standing up here and defending our colleagues.

It should matter first that they are Senators, that they were elected by the people of their State to represent Republicans and Democrats in their State. It should matter second the party that is listed after their name.

I yield the floor.

The PRESIDING OFFICER (Mr. SCHMITT). The Senator from Louisiana. Mr. KENNEDY. Mr. President, I ask unanimous consent for an additional 15 minutes to make my remarks.

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

#### APPROPRIATIONS

Mr. KENNEDY. Mr. President, I want to spend a few minutes talking about a couple of different topics.

First, I want to try to explain to the American people what is going on around here. Some people are going to try to tell you American people that what we are engaged in is a rational discussion of how to use scarce taxpayer dollars to fund the Department

of Homeland Security. That is not true. I wish it were.

The Department of Homeland Security is about to shut down. We don't know how to get it back open. What does that mean? It means ICE will be shut down. We have some ideas about how to keep that operating. They have enough money. It means TSA will be shut down. They are not going to be paid. That will impact airport travel. The Coast Guard will be shut down. FEMA—God help us if we have a natural disaster—it will be shut down.

What is about to happen is top-of-the-list, king-of-the-hill, A-No. 1 stupid. And it is happening not just because of policy, it is happening because of raw, gut politics. If you could see what I see, your gag reflex would be permanently triggered.

Here is what is going on: The Karen wing of the Democratic Party is in control of the Democratic Party and the Karen wing of the Democratic Party—not all Democrats, but there is clearly a Karen wing; sometimes I call them the loon wing—they have gone to Minority Leader JEFFRIES and my friend Senator SCHUMER and said: Don't you vote for that Homeland Security bill.

Why? Because the Karen wing of the Democratic Party wants to defund ICE.

We have seen this vampire movie before. The Karen wing of the Democratic Party also wanted us to defund the police. How did that work out for us? Criminals are still laughing. Now, they want to defund ICE.

Senator SCHUMER and Minority Leader JEFFRIES—two good men—they made a bunch of unreasonable demands that no person with a brain above a single-cell organism would vote for. It would put handcuffs on ICE. That is just a fact and they know that. I am not going to vote for them. I am certainly not going to vote for them with a gun to my head.

But I will tell you the reality. We could go to Senator SCHUMER and the minority leader in the House and say: OK. We accept every one of your conditions. The Democrats still are not going to vote to keep DHS open. I mean, I don't blame Senator SCHUMER for trying, but he is kind of wandering around here like one of those Roombas. He looks like a man who has lost his luggage at the airport. I mean, he is making these demands, and if we accepted them—we are not—but if we did, he couldn't deliver the votes because nobody on my side of the aisle wants to defund ICE, and that is what this is all about.

Some of my colleagues are trying to pretty it up. Lots of play-acting. They might be a little late for getting their name in for the Academy Awards, but maybe next year. They are trying to muddy the water and make it look deep, like we are having this discussion about efficiencies at the Department of Homeland Security.

Nope.

Very simple. The Karen wing of the Democratic Party has told every single

Democrat: If you don't vote to shut down DHS and if you do vote to fund ICE, we will punish you politically the rest of your natural lives.

That is why we are about to have a shutdown. This stuff isn't complicated. Here is what I think most Americans believe: Illegal immigration is illegal.

Duh.

If none of us is above the law—I believe that, and I bet you believe that—if no one is above the law, how come people in our country illegally are above the law? Immigration statutes are not some second-tier laws that you can violate without consequence. It is the law. If you don't like it, change it.

I believe in enforcing our immigration laws. Now, how you enforce them matters. By God, you better believe it matters. Those laws have got to be enforced in conformity with equal protection and with due process and in accordance with standards set forth by the U.S. Supreme Court—I think it was 1968 and a very famous case called *Terry v. Ohio*. A cop can't stop you unless that cop has reasonable suspicion—not probable cause, reasonable suspicion—to believe that you have committed, are committing, or are about to commit a crime. It is not subjective. It is an objective standard.

Our cops—including, but not limited to our ICE officers—have to follow it. Now, you can protest. That is fine. That is your right to protest. You don't have a right to protest violently. You don't have the right to harass an ICE officer. You don't have the right to spit in his face. You don't have a right to threaten his children. You don't have a right to get his home address and go to his house and try to harass his family. You don't have the right to block the streets so the ICE officer can't get through. You don't have the right to kick out a cop's taillight. You don't have the right to go burn Christmas trees.

You have the right to protest, but not violently because you know what? Two reasons: Violence undermines the morality that you say your movement is built upon. Dr. King knew that. That is why he wanted nonviolent protests. Gandhi knew that. President Mandela knew that in South Africa. Violence undermines the morality that you say your movement is built on.

Now, there is a second reason that you can't protest violently. It is against the law, and it is bone-deep, down-to-the-marrow stupid. If you act like a butthead with a cop or an ICE officer, it is not going to end well. It is not going to end well.

Here is a little tip; it is free. Cops will leave you alone unless you do illegal stuff, and that is what this debate is all about.

I hope it gets worked out. I don't want to see flights stop. I don't want to see FEMA not be able to respond. I don't want to see the Coast Guard have to shut down. But the Karen wing of the Democratic Party is the cause of this, and they are going to have to ac-

cept the fact that the law is the law or they are going to have to get the votes to change it because the American people—the American people—see immigration like they see the front door of their home.

Most Americans lock their front door at night. Why do they do that? They don't lock their front door at night because they hate everybody on the outside. They lock the front door at night because they love the people on the inside and they want to know who is coming into and out of their home. That is the way the American people see our borders.

Legal immigration—great, we admit more people. More of our world's neighbors come to America and become part of us every year than any other country, and the whole world knows it. That is why everybody wants to come here. When is the last time you heard somebody trying to sneak into China? They want to come here. It is called legal immigration.

But you can't jump the line. You have to fill out the forms and be properly vetted. You can't just come in. President Biden didn't follow the law. That is why we are in this mess today. We don't know how many people he let in. I am not saying they were all bad people. I don't know them. That is the point. We don't know who they are. I don't even know the number—anywhere from 8 million to 15 million. Some of them were bad people. But we don't have the slightest idea who they are, and we don't know where they are. That is why we have the rule of law. And that is why we have ICE, and that is what is going on.

KREWE OF CARROLLTON

Mr. President, the second thing I want to talk about—I want to choose my words carefully here because I love Louisiana. Louisiana is a great State. I think God blessed Louisiana, and having blessed us once, God blessed us twice. We are located at the top of the gulf coast. Those of you who have been there know we are in the middle of the gulf's south. We straddle one of the mightiest rivers in the entire world. We have more oil and gas than most nations. We are experts in things like petrochemical manufacturing, oil and gas exploration, aquaculture, agriculture, education, healthcare. I could keep going—timber production.

My people are God-fearing. They are hard-working, and they are fun-loving. We are right next door to Texas. Texas gets a lot of good publicity. More power to them. But don't forget this: Texas is 5½ times bigger than Louisiana. We are 10½ times more interesting than they are.

So I love Louisiana. But sometimes, some of my people do dumb things. We are all human. But something just happened at Mardi Gras that turned my stomach.

Let me say that I love New Orleans. I used to live in New Orleans. I practiced law in New Orleans. I met my wife in New Orleans. I raised my son

for the first couple of years of his life in New Orleans. It is a wonderful city, and we have this tradition called Mardi Gras. It is not just 1 day; it is like several weeks, and people from the entire world come to celebrate this. Name me another city—any city—that just shuts down the entire city for 1 day in the middle of the week to just enjoy life. We celebrate together. Every race, every religion, every socioeconomic class—we are all together.

We have parades, and these floats are big floats. You know what I mean if you have been to New Orleans and have seen Mardi Gras, but if you haven't, these floats are big puppies. They are anywhere from, I don't know, 30- to 60-foot long, and they are tall; they are anywhere from 13 to 18 feet. And krewe members—each parade is organized by what is called a krewe. It is like a club. The krewe members ride on the floats. They throw beads and they throw toys and some of them throw coconuts to the crowd; and the crowds are lined up by the side of the street—8, 10, 12 feet deep—all flavors of humanity.

Throw me something, Mister.

Throw me something, Mister.

But if you are a float rider—I have only done it once—one of the first things you are taught is to be careful because these beads—maybe a single strand of beads is not that dangerous, but a lot of people on the floats throw beads in groups, and a coconut, whether it is a single coconut or several, I can tell you, are mighty missiles; so you are taught to be careful where you throw, and you try to throw it to people when they see it coming because, otherwise, if you get hit in the face with a bunch of beads or a coconut, you are going to get hurt; you can lose an eye. I have had it happen to me. It is dangerous, and they teach the float riders this.

Now, we have a lot of cops. We have to borrow some cops from some other counties—we call them parishes—to come help us because there are some jackaloons who misbehave at the parades, so we have a lot of our cops out. And I think it was this past weekend—I want to get the name right—that we had the Krewe of Carrollton that sponsored a float. They are wonderful people on the Krewe of Carrollton. It is one of the oldest krewes that we have. But there were some knuckleheads on one of those floats, and they were taking bunches of beads and trying to hurt the cops with them.

Now, the cops are not looking at the floats. The cops are looking at the crowds. The cops are watching the people to make sure they don't have too many cocktails and try to run in between floats and get run over, and the cops are watching the children because we have a lot of our kids—we bring a lot of our kids—so the cops are not looking. They are not going: Throw me something, Mister. They are doing their job. And 41 people on one of the Krewe of Carrollton floats were throwing beads and toys and other stuff and

were trying to hit the cops in the face. And it wasn't just one or two. It was disgraceful. The police had to shut down the parade. To their credit, they shut her down, and they pulled all 41 people off this float and said: You are out of here.

The cops did the right thing. It is embarrassing for me to have to say this, that this happened in my State, in my city, but it did.

Now, the mayor has issued a statement.

Thank you, Mayor.

I haven't heard the city council say a word—not a peep. That doesn't mean they haven't, and I apologize if I have missed it.

It is no secret that many of my people in New Orleans think that cops are a bigger problem than criminals. This is America, and you can believe what you want. A lot of people—we went through the “defund the police” jack-assery, and a lot of my people in New Orleans—it is a sanctuary city. I know they say they are not, but most of my local law enforcement officials don't cooperate with ICE. They think the borders ought to be wide open. I don't. It is against the law. But this is America, and they can believe that—but you can't hurt cops. These 41 people, after receiving due process, if they did this, shouldn't just be disciplined with, “Oh, you can't ride next year.” They need to prosecute them, and the people of New Orleans need to demand it.

Acts have consequences, and you don't have the right to hurt cops just because you don't like them. I have said this many, many times. I get in trouble every time, but I believe it. If you hate cops just because they are cops, the next time you get in trouble, have at it. Call a crackhead, and see what happens. See if they will protect you.

So I am sorry this happened. I want to apologize to the people—to the good people—of New Orleans for these 41 skilletheades who did this, allegedly. I want to apologize to the people of America who have read about this and who saw it and who came down to love on my city some, but I don't want to ever see this happen again. Every one of those 41 people ought to be prosecuted, and they need to hide their heads in a bag for their entire prison sentences.

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

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

H.J. RES. 142

Mr. WYDEN. Mr. President, in a little bit, the Senate is going to decide whether or not to interfere with the tax policy decisions made by the elected representatives of the 700,000 people who live in the Nation's Capital. My view is, leave DC alone.

There are a lot of very good reasons to oppose this resolution. For one, anybody who listens to debates here in the Congress hears an awful lot of talk from the other side about States' rights—the importance of making policy decisions at the State and local level. This resolution is just another example of my Republican colleagues totally junking that proposition altogether to trample on the rights and priorities of people they don't even represent.

Second, if the Senate passes this resolution, it is going to mess up the tax filing season for thousands and thousands of residents of the city. The DC government is going to have to spend millions fixing that mess over the course of several months. So you can forget about all the speeches about good government and fiscal discipline when it comes to this resolution. It is undemocratic and wasteful.

And third—and here is the stunner—if the Senate passes this resolution, it would throw out two big anti-poverty programs that the DC area is implementing: a brand new child tax credit and a big expansion of DC's earned income tax credit. So the end effect here is thousands more kids living in poverty and higher rates of poverty overall in the Nation's Capital.

The elected representatives in DC looked at the city's big economic challenges—challenges made much worse by the Trump administration—and then they decided to shore up the city's fiscal health and bring down poverty at the same time.

I ask my colleagues on the other side: Who are you to overrule them?

Let's remember, if Congress sits back and leaves the District of Columbia alone, absolutely nothing changes for us, and absolutely nothing changes for the people we represent at home.

When it comes to making life better for our constituents, this is literally a waste of time. All this resolution does is stick it to a bunch of kids and families living in poverty, meddle with democracy in a city of 700,000 people, and waste millions of dollars by creating bureaucratic headaches out of thin air.

I urge my colleagues strongly to oppose this resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. ALSOBROOKS. Mr. President, I stand here in opposition to H.J. Res. 142.

DC passed a law last summer decoupling from certain tax provisions of the One Big Beautiful Bill Act. This decision was a targeted and time-limited move, instituted for 225 days, to evaluate revenue impact and determine which changes could be incorporated in a fiscally responsible manner.

DC's decoupling also does not alter or eliminate any Federal tax benefits enacted by Congress. Their law applies only to District taxes.

And it is not an action solely taken by DC. In fact, at least 13 States have

taken similar steps, and roughly 20 States require legislative review before implementation, rather than automatically adopting Tax Code changes.

And while some States decoupled entirely for 2025, DC only decoupled from 13 of the 84 tax provisions, with the possibility that DC could still implement some of what they decoupled from once they have finalized their review and determined the fiscal impact.

These moves are standard in State tax administration. They are consistent with States accounting for situations unique to them and their residents, making sure that implementation happens smoothly. They are done to make sure that taxpayers and the governments alike have some measure of certainty.

This resolution of disapproval would do just the opposite. It would cause significant uncertainty and chaos—not for the Federal Government. This resolution would have no effect on the Federal Government or Federal operations. The chaos would all be placed on DC.

This resolution would literally change the rules in the middle of the game, while taxpayers have already started filing returns. It would require revising tax forms and systems and could force taxpayers to refile returns. It would create confusion for families, businesses, and tax professionals. The chaos would result in a revenue loss of \$600 million over the next 4 years.

Because DC's law funds the District child tax credit and enhancements to DC's earned income tax credit, this resolution would hurt DC's admirable and groundbreaking effort to address child poverty and provide a boost to low-income residents.

And the fallout would not only impact businesses in DC but also spread to businesses in surrounding States like mine.

Adopting this resolution of disapproval would make us agents of chaos, and we would be breaking decades of precedent to do it. Congress has rarely, if ever, overturned District laws through disapproval resolutions, and Congress has never before reversed a District revenue-raising measure.

Our action would be so rare and so chaotic that it would have a damaging effect on DC's bond rating. Credit rating agencies have warned that congressional interference in local revenue decisions can weaken DC's credit standing and increase borrowing costs.

This goes against why we are here. We are not here to cause economic instability and hurt taxpayers. We are here to help.

This isn't about party line or ideology. DC's independent, nonpartisan chief financial officer has raised serious concerns about the instability that this would cause. DC's business community strongly opposes the resolution. Hospitals, realtors, builders, hotels, and major employers aren't making ideological calls, but pleas for certainty.

And every other State represented here, red and blue, including those

which went further in their own tax determinations, would be watching us set a new precedent—the possibility of their informed judgment being overriden by unnecessary Federal overreach, inviting chaos across their State lines.

For these reasons, I urge all of my colleagues today to join me in voting against this resolution.

I yield the floor.

The PRESIDING OFFICER (Mr. MULLIN). The Senator from Virginia.

Mr. KAINE. Mr. President, I rise today—and I know other colleagues have done the same—to talk about H.J. Res. 142, the resolution we will be voting on later. It is a resolution that would overturn a recent law passed by the DC City Council regarding local taxes.

I care a lot about this not just because Virginia is a neighbor to DC. But I have been a mayor and a Governor and dealt with local and State tax issues and the interplay between those issues and Federal taxation.

Last year, this body, with colleagues across the aisle carrying the ball, passed a large reconciliation bill, which included numerous changes to the Federal Tax Code. Now, everyone here is aware of this fact: that our system of federalism that is ingrained in our Constitution only gives us, in this body, authority over Federal taxes. The reconciliation bill didn't and couldn't change Missouri's State income tax, Virginia's State income tax, Oklahoma's State income tax, or local property taxes for cities in those States.

Some States, when there is Federal tax legislation that is passed, choose to align their State and local tax policies directly with Federal tax policy. That is called conformity. You make a change to the Internal Revenue Code, and some States choose—and it is their choice—to conform their own State tax code and even local tax codes with the Federal Tax Code. But other States choose—and, again, this is a choice—to decouple all or parts of their tax code. They may accept most of the Federal changes but decide to go their own direction in a couple of areas.

The important part is that this is part of a system of federalism, and it is a choice that States and localities get to make.

Blue and red States have made decisions to decouple in the aftermath of dealing with the reconciliation bill from last year. Alabama is a very red State. They decided to decouple their State tax system from some of the provisions in the reconciliation bill. My State, Virginia, made that decision. So did California. Altogether, now 19 States have affirmatively chosen to decouple some portion of their tax code from the tax changes that were made in the reconciliation bill. Another 20 to 30 States haven't yet made that determination; their State legislatures are grappling with it right now.

Look, if Kansas decides to lower State taxes for millionaires in a way

that Democrats disagree with, I can't, as a U.S. Senator, introduce and pass a bill that would stop them and force them to use that funding, say, for local schools instead. That is not in my power.

But because of the Home Rule Act, Congress has the ability to intercede in local laws passed by the District of Columbia. We could argue about whether that is a good idea or not. I actually think, as a former mayor and Governor, we shouldn't be interceding. The District of Columbia elects a city government—a Mayor and a city council—and we should in almost all instances, I believe, respect the wishes of those who live in DC and not impose our values on them—those of us who live in Virginia or Oklahoma or other States. I think that is the right rule, and I have long been a supporter of the District of Columbia having both self-government and representation.

The DC Home Rule Act was intended to serve as a pathway to allow them more freedom and authority to self-govern in relation to local affairs. It was a dramatic improvement over what came before. Specifically, it established the Mayor position, a city council, and neighborhood commissioners that provide residents with direct representation on matters of local government.

Since the Home Rule Act was passed more than 50 years ago in 1973, Congress has respected the District of Columbia's authority and autonomy and rarely used this tool to overturn and nullify local matters. In fact, there have been only four instances in which this law has been invoked, and I believe this is the first time it has been invoked to challenge DC decisions about their own local taxes.

Remember, DC is not making a decision about the Federal Tax Code; they are making a decision about their own local taxes in a city council that is made up of people who have been elected by DC residents.

If we pass the resolution that is before the body, we would be telling the city that they have to adopt tax policies that have nothing to do with what their constituents, who elected their city council, want.

This would be about local taxes, not Federal taxes. DC residents have to pay Federal taxes in accord with the laws we pass here. So the matter we are contemplating on the floor is just interfering with DC's local taxes. We would be blowing a \$600 million hole in the District of Columbia's budget if we pass this.

Again, everyone in this body, all 100 Senators—we live elsewhere. We live elsewhere, but we would be blowing a \$600 million hole in the budget for the people who live in the District of Columbia if we pass this.

What did DC do? DC decided that they didn't want to conform their tax code to allow certain forms of accelerated depreciation for investments. Alabama actually made the same choice.

They didn't conform their tax code over a similar part of the tax code.

What did DC do instead? Instead of allowing this accelerated depreciation, DC decided that they would give a child tax credit to DC families. They viewed that as a more important thing to do with their local tax code than to do accelerated depreciation. I think that is a choice that makes perfect sense to me, and it certainly made sense to DC voters.

So the impact of this will not only be to blow a hole in the budget and to, mid-tax season, create chaos; it will also be to take away an important priority whereby DC has decided that they want to put dollars in the pockets of families with children to help them with the expenses of raising a child. This will cause confusion and cost the city millions in additional expenses in addition to the revenue effect.

I see my colleague from Virginia is on the floor, so I want to allow him to go quickly, but I do want to read a letter that has been written to the Senate by the DC business leadership. This is from the DC business and civic community—the Federal City Council, the Greater Washington Board of Trade, DC Chamber of Commerce, Apartment & Office Building Association, DC Association of REALTORS, D.C. Hospital Association, the building authority, Association of REALTORS, Hotel Association—a broad cross-section of the DC business community—and they have written a letter to us saying the following:

We write you, in unison, as representatives of the District of Columbia's business organizations, urging you to oppose the Joint Resolution of Disapproval H.J. Res. 142 . . . that would reverse the District's decision to decouple the local tax code from some provisions of the One Big Beautiful Bill Act.

A reversal of decoupling would create chaos in the middle of tax filing season. The District has already begun accepting and processing returns. It would take the DC government and private vendors months to adjust local tax administration. Filing deadlines would have to be pushed back to the Fall of 2026.

Local tax code decoupling from the federal tax code is not unique. Many states have also voted to decouple from provisions in the One Big Beautiful Bill Act, as they have many times in the past in response to federal tax changes.

I read the letter from the business community because I want to make clear to people: This is not just parents who want the child tax credit so that they can better afford to raise their children; it is also the business community in DC.

Those of us who live elsewhere have the ability to affect tax policy at the State and local level in our own communities. We shouldn't impose our values over the DC residents, who have elected a Mayor and city council who have made tax policy for them just as our own local and State officials made tax policy for us.

For that reason—both to not blow a hole in the DC budget, to respect the wishes of DC residents, to respect the

need for a child tax credit to support families, and to respect the wishes of the DC business community—I ask my colleagues to oppose the resolution.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank my friend the Senator from Virginia. He has laid out the elements, a lot of the tax reasons and business reasons.

I am going to be relatively brief since I know the floor got backed up today and I am imposing my time on the Senator from North Dakota.

I have a little unique view on this because I actually think I live closer to the District than anybody else, of the 535 Members of Congress. So my neighbors, my friends, my constituents work, visit, travel through the District all the time. Senator KAINE went through how this is going to hurt the District. I echo all of that. But it is going to hurt the region. It is going to hurt Virginia. It is going to hurt Maryland.

While I was going to go through all of the same details on decoupling and the 19 issues, I will move away from that and echo everything he said.

But I guess what I want to just spend a couple of minutes on is, why in the heck has the Trump administration been hitting the District of Columbia so unrelentingly?

Let's look back. Just as downtown was starting to recover from the pandemic, President Trump and DOGE began a wholesale assault on the Federal workforce. Thousands of Federal workers—people who go to local restaurants, go to DC businesses—were fired by the President or forced to take a buyout early.

We have seen as well that the President has taken a blowtorch to Washington's cultural treasures when he unlawfully—and I say this as a member of the Kennedy Center board—when he unlawfully put his name on the Kennedy Center and then acted surprised when groups around the country, artists around the country, said "I am not going to go to the Trump-Kennedy or the Kennedy-Trump Center" and started canceling their engagements. Then out of the blue comes a decision to shut down the Kennedy Center for 2 years—again, hurting not only the District but the whole region.

For those of us who visited the White House as tourists or as Senators, even under President Trump, where the East Wing—a stately East Wing—once stood, there is now a giant hole with a potential ballroom that I imagine, at the end of the day, may make the cost overruns at the Fed look tiny in comparison, at least on a percentage basis.

We saw last year, with the big bill—I will not call it by its chosen name—that the President and this administration have done so much to hurt the folks in DC at risk. You know, 38 percent of DC residents get their healthcare through Medicaid—more

than one in every three DC residents. Yet the Medicaid cuts that will come, interestingly enough, in November—after the elections—will literally put thousands and thousands of those residents off their healthcare.

Instead of allowing the District, as the Senator from Virginia said, to put that into child tax credits or other choices—with their own money—instead, the President has taken this money, frankly, for tax cuts for the wealthiest.

Now I won't go through all the details again, but \$658 million of DC residents' money paid in local taxes should not be taken away from the District. Remember, this comes on top of almost another billion dollars that the House tried to take away as well.

So why would this Congress arbitrarily just blow a big budget hole in the District's budget? Truth is, this city has already been under unrelenting assault by this administration. Matter of fact, as Senator KAINE said: So many—if this goes through—the amount of bureaucracy in terms of re-filing their taxes puts another burden as well.

So I join my friend Senator KAINE and I think all of us who care deeply about this region, this community. Please, let's deal with our own States. Let's not meddle in the District's business. Let's not grab close to \$700 million of DC taxes and punish this community one more time. I hope we are a better institution than that.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

CRACK THE CODE 2.0

Mr. HOEVEN. Mr. President, I come to the floor today to discuss how in North Dakota we are building on the pro-energy policies included in the Working Families Tax Cut Act through an initiative that we call Crack the Code 2.0.

This effort is about strengthening our Nation's energy security, keeping electricity reliable and affordable, and ensuring that America remains energy dominant for generations to come.

More than 20 years ago during my time as Governor, North Dakota cracked the code for the first time and unleashed the shale oil revolution in the Bakken formation in North Dakota. This success story didn't happen in a vacuum.

We established the State's oil and gas research council. We worked with the North Dakota Geological Survey to identify new recoverable energy reserves. We put in place the legal, tax, and regulatory framework needed to encourage innovation and attract investment. This empowered oil producers to deploy the latest and greatest technologies to unlock energy reserves once thought unreachable.

This success transformed North Dakota into one of the top energy producing States in the Nation and helped make the United States the world's largest oil and gas producer. Today, we are working to crack the code again.

Through Crack the Code 2.0, we are bringing together our oil and coal industries by leveraging enhanced oil recovery—or EOR—using captured CO<sub>2</sub> from North Dakota's coal-fired powerplants to increase production from the Bakken oil formation.

This approach brings together two of our Nation's most abundant and strategic energy assets, our coal resources and our oil reserves, to achieve three goals:

First, double the oil recovery rate in the Bakken—double the oil recovery rate; extend the life of our baseload coal-fired powerplants; and deliver more affordable, reliable energy to American consumers.

Enhanced oil recovery is a proven technology that injects CO<sub>2</sub> to produce oil that would otherwise remain trapped underground. For the past 25 years, Dakota Gasification Company has captured and transported CO<sub>2</sub> for enhanced oil recovery in the Canadian Weyburn field. Matter of fact, I turned the crank on that pipeline back when we first started the project.

Now, we are working to advance EOR in unconventional shale formations like in the Bakken. And the Working Families Tax Cut Act provides the policy foundation to expand EOR opportunities in shale plays like the Bakken.

We worked with Senator BARRASSO and others, including the Presiding Officer, to ensure that the law aligns 45Q tax credits and properly recognizes that the utilization of captured CO<sub>2</sub> will work for EOR. Producers are recovering only between 5 to 10 percent of the oil in the Bakken and other shale plays, meaning billions of barrels remain untapped. The Bakken has already produced more than 5 billion barrels of oil, and enhanced oil recovery could unlock at least another 5 billion barrels of oil.

That is more than doubling the amount of recoverable oil from one of our most important energy formations. Doing so will help increase our energy independence and lower costs for American families.

To continue this effort, we convened a strategy session last year with Energy Secretary Chris Wright and North Dakota's energy leaders to develop our game plan for Crack the Code 2.0. Secretary Wright already knows North Dakota well, having pioneered technologies there that unlock the shale revolution in the Bakken.

Moving forward, we are working on a \$171 million effort with Secretary Wright, industry partners, and our State on a large-scale pilot project to advance the technical and commercial viability of EOR in the Bakken.

Crack the Code 2.0 is also about keeping the lights on and strengthening our electric grid especially as electricity demand continues to soar in the United States. North Dakota's coal-fired powerplants can provide a reliable supply of CO<sub>2</sub> that could be captured and put to productive use for EOR, creating a new revenue stream that helps keep

our powerplants operating long into the future.

This is vital because we can count on our baseload coal-fired powerplants to provide reliable electricity available 24 hours a day and in every type of weather conditions. This is not simply good for North Dakota; it is critical for the United States.

Every additional barrel produced at home reduces dependence on foreign sources, particularly from OPEC and adversaries like Iran or Russia. Every megawatt of reliable baseload power protects grid reliability and affordability.

Ultimately, energy is the key input to economic activity and greatly impacts our quality of life. And our Nation is fortunate to have abundant reserves of coal, oil, and natural gas. The first effort to crack the code on the Bakken helped make our Nation a global energy powerhouse and strengthened America's geopolitical standing.

Crack the Code 2.0 builds on this legacy, once again harnessing American innovation and unlocking energy resources that will support our economic and national security for decades to come.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I ask unanimous consent to speak 10 minutes beyond my original time.

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

H.J. RES. 142

Mr. VAN HOLLEN. Mr. President, so this is a really embarrassing moment for the U.S. Senate. It is a gross, gratuitous assault on the people of the District of Columbia, the people who live in our Nation's Capital.

And also, as I listen to the rhetoric around this, it is actually one of the most dishonest arguments I have heard in the U.S. Senate for a long time. That is saying a lot.

I also want to make clear from the outset that at a time when Americans in every State in the Union are feeling squeezed by costs and rising prices, this doesn't do a thing for any of the constituents of any Senator in this U.S. Senate—not a thing.

And it doesn't do a damn thing for the Federal budget. What it does is pretend to say that you are protecting the people of the District of Columbia because you are assuring that they will get the benefit of the President Trump so-called Big Beautiful Bill.

So with everything happening in this country, what we are doing here or what is being attempted here is to micromanage the government of the District of Columbia. This has nothing to do with Federal taxes—nothing.

The people of the District of Columbia are going to get the same Federal income tax form as people in every part of the country. I have the form right here that the people of the District of Columbia will fill out. It is a

1040. It has also got the additional deductions.

It has all the deductions that are in the so-called Big Beautiful Bill. They have got no tax on tips, no tax on overtime. The list goes on—qualified passenger vehicle loan interest deduction. So people who live in the District of Columbia will get this Federal tax form for their Federal taxes.

We can't change the Federal Tax Code for the people of the District of Columbia. They are going to do exactly what everybody else in the United States is doing.

And yet there are some who are pretending that somehow this is an effort to ensure that the people of the District of Columbia get the benefits of the changes to the Federal Tax Code. They are going to get whatever benefits people think are available under the Federal Tax Code.

The author of this resolution, who is on the Senate floor, has said:

... the D.C. Council's recent move that prevents federal tax laws under President Trump's Working Families Tax Cuts from going into effect for district residents.

That is not true. District residents are going to get the same Federal tax form as the constituents of every Senator in this body. Congressman GILL, one of the supporters of this resolution in the House says:

The DC Council's actions would block DC residents . . . from receiving these Federal tax credits . . . and from keeping their hard-earned money in their wallets.

Not true. Not true. They pay the same Federal income taxes and have the same Federal tax deductions as every other person in the country.

House Speaker JOHNSON said:

If this act were to become local law, D.C. residents would be prevented from claiming no tax on tips, no tax on overtime, the increased standard deduction, and so much more.

Not true. They are going to fill out the same Federal tax form as everybody else in the United States of America. So this is an example of complete false and deceptive advertising. What it is attempting to do, in reality, is not deny the District of Columbia benefits under the Federal Tax Code as they fill out their Federal tax forms, it is to prevent the people from the District of Columbia, when it comes to their local tax code, from having the autonomy that all of our jurisdictions have.

That is what it does. And the people of the District of Columbia, through their elected representatives, chose, with respect to their local tax law, to make some different decisions than under the Federal Tax Code. So, for example, they restored the District of Columbia's local child tax credit, and they increased the District of Columbia's existing earned income tax credit. In fact, they adopted 84 of the provisions that were passed through from the Federal cut. Just 13 of the 84 provisions were changed as a matter of local DC law.

So, for example, they decided that they could not afford to immediately

implement the ability of companies to fully expense their R&D costs. They concluded, they did an analysis that if you adopted that Federal provision and you put that also in your DC tax code, that the people of the District of Columbia—the District of Columbia would lose \$170 million.

As I said, they did choose to enhance their child tax credit, and so if you actually vote for this resolution on the floor of the Senate, you are going to increase taxes on 78,000 children. Families that represent 78,000 children in the District of Columbia are going to see their taxes go up if you pass this Republican resolution.

And, in fact, by increasing the child tax credit and taking measures on the earned income tax credit as a matter of local DC tax law, they are reducing poverty in the United States by 20 percent. So if you actually vote to overturn that, you are going to increase poverty in our Nation's Capital by 20 percent. It is insane what they are proposing.

So like many States, and I am going to point out some of the other States that decouple from the Federal Tax Code when it comes to their State or local taxes—like many States what the District of Columbia wanted to do was to at least temporarily decouple so that they could examine what impact the Federal tax law changes would have if they incorporated them directly into their local tax system. And they are not alone in doing that.

In fact, at least 13 States, represented by U.S. Senators in this body, have decoupled from some of the Republicans' reconciliation bill, tax bill. Those include the States of Alabama, Michigan, Illinois, and Virginia. And additionally, there are about 20 States, including Kentucky, Ohio, and Wisconsin, that do not automatically adopt changes to the Federal Tax Code as part of their State tax code. My State of Maryland doesn't automatically do it. Indiana doesn't do it.

In fact, if you look through the various States, you will find that many do not do it. Let's look at Alabama. It is under Republican control right now. They voted to actively decouple their State tax provisions from the Federal tax provisions. I don't see any Senator here on the floor trying to undo the State of Alabama's tax code.

Let's look at Kentucky law, and I am reading directly out of their statute.

FEDERAL TAX LAW CHANGES—Recent federal income tax changes were enacted after Kentucky's conformity date set forth in KRS 141.010(21).

Listen to this:

As a result, these federal changes do not apply to Kentucky returns. Items such as qualified tips, overtime income, and car loan interest are not deductible on the Kentucky return.

That is what the State of Kentucky is saying. Now, I am reading here from Senator SCOTT's office press release.

It reads: "Sen. Rick Scott Leads Resolution Overruling D.C.'s Move to Deny

Families and Businesses Trump's Historic Tax Cuts."

Again, that is simply not true with respect to Federal taxes. The District of Columbia can't change the 1040s, and they haven't tried.

But if you want to take this headline, you should add some other jurisdictions to this. So, for example, where is Alabama? Where is Kentucky? And the gross hypocrisy of Members of the Senate trying to change the law, the local tax law of the District of Columbia, duly enacted by their council and the Mayor, and not say a thing about States, including Republican States that have decoupled as well on certain provisions, is jaw-dropping.

It is also going to create havoc. And I want to emphasize the point that people have already begun to pay their—fulfill their forms, both the 1040s, which mirror exactly the Federal tax law, but also their DC tax forms.

And so if we pass this legislation, it is going to create absolute havoc in the District of Columbia, which is why the Chamber of Commerce of the District of Columbia is against it; firefighters are against it; the Mayor is against it. The DC Police are for this, but I want you to think about this: Our States make changes to their tax law. People come before the State legislatures, they argue for a change or against a change, and the State legislatures listen and they make the decisions. And that is what DC did.

And as I said, they chose to increase the child tax credit. You are going to take it away. They chose to reduce poverty in the District of Columbia. We are going to choose to increase poverty if we adopt this.

So there has been a lot of misinformation about this. And I just hope that before the final vote on final passage on this, people recognize that the headlines here have been incredibly deceptive because, I want to emphasize, again, this doesn't change one dime when it comes to Federal tax law. It is not going to have a single impact on the Federal budget.

It is not going to benefit anybody's constituents from this body—nobody's. It is going to hurt kids in the District of Columbia, and it is going to do to the people of the District of Columbia what we would never do to any of our own State legislatures, which is to decide that we are going to somehow throw out their State tax codes and substitute our own judgment instead.

As I said, this is really, really insane, and the way it has been marketed has been deceptive. And so I hope colleagues will look really closely at what we are about to vote on because it has come up very quickly, under expedited procedure. The Senate didn't even have to take this up.

I urge my colleagues to oppose this measure.

I yield the floor.

The PRESIDING OFFICER (Mr. MORENO). The Senator from Florida.

Mr. SCOTT of Florida. I rise today to fight for working families and busi-

nesses. Congress is DC's legislative body. It says so right there in the Constitution, article I, section 8, clause 17 reads:

[The Congress shall have Power . . . ] To exercise exclusive Legislation in all Cases whatsoever, over such District . . . as may . . . become the Seat of Government of the United States.

This means we have a constitutional responsibility to fight for those living here in our Nation's Capital, just like any legislator should fight for the people living in their State. That is why I am bringing this resolution to the floor today.

The DC City Council has decided to deny the people of DC the benefits we passed in President Trump's Working Families Tax Cuts Act. That is absolutely absurd.

These tax cuts, like the no tax on tips, no tax on overtime, and the senior tax deduction are especially helpful to families struggling to get by and those starting out, trying to make a better life for themselves.

It helps the thousands of service workers here in DC, the law enforcement that protects us every day, and the grandparents who are watching their grandkids while their children are at work. It lets them keep more of their hard-earned money. But the DC Council has decided to benefit from these people instead of helping them. They have decided they deserve these people's money more than the people do. This isn't right. Not only does this hurt people by preventing them from keeping more of their hard-earned wages, but it also hurts the economy. And it will end up hurting the city as a whole.

When I was Governor of Florida, I cut taxes over 100 times through tax cuts just like the ones in the Working Families Tax Cuts Act. As a result, we turned the Florida economy around. We added nearly 1.7 million private sector jobs. We paid down a third of the State's debt and actually invested a record amount back into communities and public services.

Instead of people leaving the State to find a job that allowed them to support their families and live their American dreams, families started coming to Florida to do just that. By cutting taxes and regulations and letting Americans keep more of their hard-earned money, we can turn this economy around just like we did in Florida. That is exactly what President Trump and Republicans are trying to do.

I meet with businesses and hard-working Floridians often. They talk about the impact no tax on tips and no tax on overtime are already having.

They talk about how they are able to plan for expansions and more hiring, creating more jobs that would support families and give back to their communities. This is the kind of growth and support that the DC Council has denied its citizens and small businesses. Biden's and Democrats' inflation-causing policies are still being felt, especially by those who are already struggling to make ends meet.

President Trump and Republicans are doing all we can to make things better, affordable, and lower costs for these American families. We do that by cutting taxes and regulations, not by denying people more of the money they have earned.

My resolution would reject this policy that would crush American families, workers, and businesses.

I urge my colleagues to do our constitutional duty to the people of DC and support this resolution.

**DISAPPROVING THE ACTION OF THE DISTRICT OF COLUMBIA COUNCIL IN APPROVING THE D.C. INCOME AND FRANCHISE TAX CONFORMITY AND REVISION TEMPORARY AMENDMENT ACT OF 2025—Motion to Proceed**

Mr. SCOTT of Florida. I move to proceed to Calendar No. 315, H.J. Res. 142. The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 315, H.J. Res. 142, a joint resolution disapproving the action of the District of Columbia Council in approving the D.C. Income and Franchise Tax Conformity and Revision Temporary Amendment Act of 2025.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. SCOTT of Florida. 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 Wisconsin (Mr. JOHNSON) and the Senator from Kentucky (Mr. MCCONNELL).

Mr. DURBIN. I announce that the Senator from Washington (Ms. CANTWELL) is necessarily absent.

The result was announced—yeas 51, nays 46, as follows:

[Rollcall Vote No. 36 Leg.]

**YEAS—51**

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

**NAYS—46**

Alsobrooks	Durbin	Kelly
Baldwin	Fetterman	Kim
Bennet	Gallego	King
Blumenthal	Gillibrand	Klobuchar
Blunt Rochester	Hassan	Luján
Booker	Heinrich	Markey
Coons	Hickenlooper	Merkley
Cortez Masto	Hirono	Murphy
Duckworth	Kaine	Murray

Ossoff	Schiff	Wanrock
Padilla	Schumer	Warren
Peters	Shaheen	Welch
Reed	Slotkin	Whitehouse
Rosen	Smith	Wyden
Sanders	Van Hollen	
Schatz	Warner	

NOT VOTING—3

Cantwell Johnson McConnell

The motion was agreed to.

**DISAPPROVING THE ACTION OF THE DISTRICT OF COLUMBIA COUNCIL IN APPROVING THE D.C. INCOME AND FRANCHISE TAX CONFORMITY AND REVISION TEMPORARY AMENDMENT ACT OF 2025**

The PRESIDING OFFICER (Mr. JUSTICE). The clerk will report the joint resolution by title.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 142) disapproving the action of the District of Columbia Council in approving the D.C. Income and Franchise Tax Conformity and Revision Temporary Amendment Act of 2025.

The PRESIDING OFFICER. The Senator from Massachusetts.

UNANIMOUS CONSENT REQUEST—S. RES. 605

Mr. MARKEY. Mr. President, I rise today because, once again, the sitting President of the United States has threatened something antithetical to our democracy, something patently unconstitutional and unlawful, something that should give every single American pause. Donald Trump has now suggested that he might nationalize our elections. Trump has suggested that the Federal executive branch should take over elections, which, under our Constitution, belong to the States.

So let me be clear. This is not a policy disagreement. This is not a gray area. This is not a novel constitutional question. This is, flatly, outright, unquestionably, unconstitutional. The Framers could not have been more clear. Article I, section 4 of the Constitution places the times, the places, and the manner of Federal elections in the hands of the States, not in the hands of the President, not the White House, not in an Executive order. There is no clause in the Constitution or law on the books—none—that allows a President to commandeer State election systems—no emergency power, no implied authority, no “because I just say so.” The President’s role is to faithfully execute the laws, not to rewrite the Constitution when the facts or the voters displease him.

Yet here we are. Donald Trump’s dangerous threat rests on a familiar and thoroughly discredited premise that American elections are rigged, fraudulent, or illegitimate. That claim has been examined exhaustively and has been rejected everywhere it has been tested. State election officials—Republicans and Democrats alike—certified the results of the 2020 Presidential election. Courts across the country rejected claims of widespread

fraud. Federal judges appointed by Presidents of both parties dismissed these cases for a lack of evidence.

There was no stolen election. There was no massive fraud. There was no justification, then or now, for the Federal seizure of elections. To suggest otherwise is not really wrong; it is reckless. And it is exclusively intended, ultimately, for the President to take over the elections in November of this year so he can rig the elections so that Democrats cannot win the House and Senate. That is what is at the heart of what the President is trying to do.

What is most alarming is not just that Donald Trump spoke those words, but that so many congressional Republicans have refused to say plainly what the Constitution requires. Silence in the face of an unconstitutional power grab is not neutrality. It is acquiescence to the undermining of the U.S. Constitution. Our system of government depends on elected officials who are willing to say no, especially to a President of their own party when the Constitution is at stake.

The Founders divided power deliberately. They placed elections close to the people. They rejected centralized control because they understood that democracy cannot survive when the Executive controls the ballot.

That principle is not optional. It is structural. It is foundational. It is what the Founding Fathers built into the system to make sure that we did not have a King, that we did not have a Monarch. They built it in this way so that the representative government would be selected at the local level, that the elections would be conducted at the local level—no taxation without representation.

They were fighting to create a House and Senate. They were fighting to put checks on King George. They were fighting to make sure that ultimately no latter-day King George—King Donald—could emerge that would then seek to impose his will on the people.

And that is why we have a Senate. That is why we have a House of Representatives—no taxation without representation—ensuring that each community, each State, has their own representatives selected in elections conducted by the voters in that State, by the leaders in that State.

And if the President were to attempt by order, directive, or coercion to nationalize or commandeer State-run elections, that action would be unconstitutional; it would be illegal; and it would be without effect. It would be a violation of the Constitution.

And let me be clear about one final point: Such a brazen attempt would not merely be unlawful; it would also be impeachable. A President who seeks to seize control of elections is attacking the constitutional order itself, and that is precisely the kind of abuse of power for which impeachment exists, not as a partisan weapon but as a constitutional safeguard against the usurpation of the electoral process in our