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## Senate

(Legislative day of Tuesday, April 14, 2026)

The Senate met at 10 a.m., on the expiration of the recess, 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.

Holy One, who prompts us to conform to Your will, shine in the hearts of our lawmakers, providing them with Your wisdom. Lord, purify the desires of their hearts, leading them beside the still waters of contemplation, thanksgiving, and restoration. Embolden them to become instruments of Your saving power, which comforts, challenges, and confronts. Remove from them anything that hinders them from being instruments of Your peace, bringing light where there is darkness, hope where there is despair, and peace where there is conflict.

As You keep our Senators faithful to their calling in these sometimes chaotic, confusing, and challenging times, may Your peace guard their hearts.

We pray in Your merciful 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. SHEEHY). Under the previous order, the leadership time is reserved.

### LEGISLATIVE SESSION

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE BUREAU OF LAND MANAGEMENT RELATING TO PUBLIC LAND ORDER NO. 7917 FOR WITHDRAWAL OF FEDERAL LANDS; COOK, LAKE, AND SAINT LOUIS COUNTIES, MN

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.J. Res. 140, which the clerk will report.

The senior assistant bill clerk read as follows:

A joint resolution (H.J. Res. 140) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Land Management relating to Public Land Order No. 7917 for Withdrawal of Federal Lands; Cook, Lake, and Saint Louis Counties, MN.

The PRESIDING OFFICER. The Senator from Iowa.

### SAVE AMERICA ACT

Mr. GRASSLEY. Mr. President, the SAVE America Act has been a discussion for quite a few days on the floor of the U.S. Senate, and I would like to give my update on that. I have already spoken once on the subject. But before I speak, I would like to ask unanimous consent to have printed in the RECORD after my speech some of the remarks that my constituents have been sending to my office on this issue so that they have direct quotations from letters backing up what I am saying here on the Senate floor today.

Mr. President, as I said, I am a co-sponsor of the SAVE America Act. This SAVE America Act ensures only U.S. citizens are registered to vote in Federal elections, and it also requires voter ID when voting. Now, that is pretty simple. It is so simple that 85

percent of Americans generally support those principles of voter ID and only citizens voting. Even 71 percent of the Democrats in polls also support that.

Now, what I have inserted in the RECORD is what I have heard from some Iowa constituents who would say that while election integrity is important, noncitizen voting is not an issue. Some of my constituents even accept that noncitizen voting happens, but at the same time, they say it is not that often, so we should just ignore it.

That is not how the rule of law works, and we all take an oath to uphold the rule of law. And I will bet every one of our constituents say the rule of law is a principle applying in America and it should be fully supported.

It is a fact that nobody's vote should be diluted by people voting who are not eligible to vote and that voter fraud should not be ignored, no matter the scale.

I want to share some recent examples of noncitizens registering to vote and voting in elections. The first one is the State of Montana. In a State where elections have been decided by only a handful of votes, 23 potential noncitizens cast nearly 150 votes in various elections.

Then let's go to the State of Ohio. In 2024, Ohio found 597 noncitizens registered to vote—138 of whom voted in recent elections—that lacked citizenship status.

Then in Texas—Texas removed over 6,500 noncitizens from their voter rolls between the years 2020 and 2024. That is a larger population than some small Iowa towns.

Then let's go to New Jersey. In January, two people in New Jersey were charged with illegal voting in the 2020 elections. This is in addition to other foreign nationals charged last year for registering to vote and voting in Florida and Massachusetts.

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



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My home State of Iowa takes pride in civic participation and election integrity. Even so, in my State, our secretary of state found 277 noncitizens registered to vote and 35 who actually cast ballots in 2024.

Maybe you would say this doesn't really matter because most people win by thousands or at least hundreds of votes, but I want to give you an example in Iowa where we had a very close election and just a handful of people not registered legally to vote—either they were noncitizens or they weren't the people that said they were going to vote. So we know elections can be decided by just a handful of votes. Iowa experienced that firsthand in 2020 when one of our congressional seats was decided by six votes. That is MILLER-MEEKS, presently a Congresswoman from southeast Iowa. So we have that election demonstrating how every single vote matters and why only legally cast ballots ought to be counted.

Citizen participation is a sacred cornerstone of representative government. The SAVE America Act gives Americans absolute confidence that their elected representatives won fair and square, by the people who are legally eligible to vote.

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

"We don't have a problem with fraudulent voting, especially in Iowa. We don't have a problem anywhere, but we certainly don't have one in Iowa with the excellent election process."

"Please do NOT vote for the SAVE ACT. It addresses NO ISSUE!!!"

"There is no voter fraud occurring in our elections . . . no evidence of fraud."

"No evidence of fraud in federal elections."

"It is already illegal for non-citizens to vote in national and state elections. Illegal voting by immigrants very, very rarely happens in this country."

"It is no surprise that noncitizen voting is extremely rare and never significantly affects election outcomes."

"There is no evidence of voter fraud that would justify this legislation."

"Evidence shows that noncitizen voting is nearly nonexistent."

"Why are they working so hard to create a law for a nearly nonexistent problem?"

Mr. GRASSLEY. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill 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.

RECONCILIATION

Mr. THUNE. Mr. President, one thing you can always count on is that Democrats have a lot of nerve. The Democrat leader has been out and about, this week, criticizing Republicans for taking up reconciliation legislation to fund border security and immigration enforcement.

This was his quote:

Republicans are dragging the Senate through a partisan circus just to avoid basic accountability for ICE and Border Patrol.

Let me repeat that:

Republicans are dragging the Senate through a partisan circus.

Is he serious? Because the shoe is entirely on the other foot. Democrats, through their stubborn refusal to seriously engage in bipartisan negotiations and their ultimate refusal to fund law enforcement at all, have forced us into a position where the only way we can fund law enforcement and border security is through reconciliation.

A big priority of mine, when I became leader, was conducting appropriations through regular order. And despite Democrats' decision to shut down the entire Federal Government for 43 days in the fall, we were well on our way to passing all of fiscal year 2026 appropriation bills—all 12.

We had a bipartisan deal on DHS funding—DHS funding for the entire Department—that included additional funding for body cameras for Immigration and Customs Enforcement agents, deescalation training, and increased oversight of ICE funding.

But then Democrats reneged on that agreement. But did Republicans then move to reconciliation? Not at all. We bent over backward to reach a new deal with Democrats. The White House repeatedly—repeatedly—offered a robust package of reforms, and we spent weeks—weeks—trying to negotiate.

But Democrats weren't interested in negotiation. A good example of that is that one of the offers that was made by the White House wasn't responded to by Democrats for 18 days. Eighteen days we kept coming out here saying: Come on. Give us a counteroffer here. You want reforms, you want changes made; let's sit down and figure that out.

Just more stall, delay, obstruct.

I would say they were interested in nothing but their exact list of demands with no compromises, but I strongly suspect that Democrats were never interested in a deal at all.

And, in fact, after weeks of stonewalling, Democrats eventually made it clear that no deal was happening, which meant that either Republicans acceded to Democrats' refusal to fund law enforcement and border security or—or—we pursue the only option left to us, which is funding law enforcement and border security through reconciliation.

If Democrats want to be the party of defunding law enforcement and open borders, then so be it. But we are not going to join Democrats in their irresponsible refusal to fund key parts of the Department of Homeland Security.

Democrats refused to fund the deportation of criminal illegal aliens, individuals guilty of things like murder, assault, and sexual crimes against minors. They refused to fund drug interdiction and efforts to fight human trafficking. They refused to fund border se-

curity. That is right. They refused to fund the Border Patrol. These are all critical security priorities.

So Republicans are going to fund them through reconciliation because the Democrats have left us no other option. And to prevent Democrats from voting to defund law enforcement once again in September, we are going to fund border security and immigration enforcement for the next 3 years.

If you want to see a partisan circus, look no further than Democrats' 43-day government shutdown in the fall. Remember what that was about—that that was over. It was over a clean, non-partisan funding bill. And the Democrats' shutdown of the Department of Homeland Security happened because they couldn't take yes for an answer.

Our national security, the functioning of our government, the salaries of government workers, all—all—have been repeatedly sacrificed this year thanks to Democrats' partisanship.

I would say that the Democrat leader should be embarrassed by what his party has done to the Federal Government and to the Senate itself.

Mr. President, I ask unanimous consent that the following Senators be permitted to speak prior to the scheduled rollcall vote: Senator HEINRICH for up to 5 minutes, Senator KLOBUCHAR for up to 5 minutes, and Senator SMITH for up to 15 minutes.

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

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

Mr. SCHUMER. 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 MINORITY LEADER

The Democratic leader is recognized.

WORKING FAMILIES TAX CUTS

Mr. SCHUMER. Mr. President, well, today Trump is in Las Vegas trying to sell the American people on his tax policies and convince them that everything is going just dandy, but the reality for American families is that thanks to these deleterious policies people are hurting worse than before. Working families are hurting worse than before, middle-class families are hurting worse than before; overall, because of Trump's policies, people are hurting.

Here is the truth in Las Vegas. Here is the truth. If you are a hotel or casino owner in Las Vegas, if you are a multimillionaire, Donald Trump's tax policies have been very good to you; but if you are a hotel staffer, a waiter, a janitor, a DoorDash delivery driver, the tax policies don't come close to undoing the economic damage he has done to you.

Again, if you are a hotel owner, a casino owner in Las Vegas, if you are a multimillionaire, Trump's tax policies

have been very, very good to you; but if you are a hotel staffer, a waiter, a janitor, a DoorDash delivery driver, Trump's tax policies don't come close to undoing the economic damage Trump has done to you and your family.

And there are three major reasons Donald Trump's "Big Ugly Bill" has turned out to be a giant scam for most Americans. First, Republicans promised their "Big Ugly Bill" would mean tax refunds of more than a thousand dollars. That promise was false. The average refund is less than one-third of what the Republicans promised.

Second, whatever benefit families may have gotten has already been devoured by Trump's policies that have led to higher gas prices, higher grocery prices, higher electric costs.

For example, the average tax cut is maybe an extra \$350. But thanks to Donald Trump's war in Iran alone, Americans will pay an extra \$740 this year just to fill up their tanks. Just like that, your tax break is gone, America. And that doesn't include the increase to healthcare costs, grocery costs, housing costs, electricity costs, and so much more.

So the tax cut is more than undone by the rise in costs, the rise in costs that Americans feel just about across the board, so many of them, because of Donald Trump's policies.

Third, Donald Trump's "Big Ugly Bill" is overwhelmingly skewed to benefit the rich. This is an old Republican trick: Give most of the tax breaks to the very wealthy, let a little bit trickle down to middle-class people and call it a middle-class tax break. It is a tax break for the rich.

While the average American might see a small tax increase, the ultrarich will see their taxes cut by more than a trillion dollars over the next decade.

Republicans, if you wanted to make the tax cut a middle-class tax cut, put all of the money into the middle class, not a nickel to billionaire-millionaire tax cuts.

The largest corporations will see a \$65 billion tax cut in just 1 year alone. Multimillionaires are getting a tax cut worth more than \$300,000 a year.

The vast majority of these tax breaks go to the very wealthy and the big corporations. To label this package of tax breaks a middle-class tax cut is just as close to lying as it comes.

And for those of you who live in Las Vegas, don't forget, Trump's disastrous tariff policies and foreign policies are greatly cutting down on tourism in the United States and will greatly cut down on tourism to Las Vegas and Nevada, particularly this summer, the lifeblood of the Las Vegas and Nevada economies.

And then when you add in the soaring costs of jet fuel that will raise airline tickets, that will be far more damage to the Nevada economy and Nevada families than any gain from Trump's tax policies.

So, yes, if you are a multimillionaire or giant corporation, Trump's policies

are really helping you. With Trump's policies, the owners of Las Vegas big hotels will do far better than the staff, the custodians, the drivers, or the servers.

If you have to work for a living, Donald Trump's tax breaks, coupled with his other policies, are turning out to be a giant failure for you, putting your family in an economic hole.

#### DEPARTMENT OF HOMELAND SECURITY

Mr. President, on Department of Homeland Security, well, all this week the Republican leader has come to the floor to try and pin his party's failure to fund the Department of Homeland Security on Democrats. He did it again today. He said we—Democrats—"shut down the appropriations process," and that "Republicans have been forced to do this the hard way."

Let's be very clear about all of this. DHS has been shut down now for over 60 days for one reason and one reason only: Republicans have been so paralyzed by their own dysfunction that they cannot govern.

Republican leaders in the House and the Senate are busy fighting with each other, and that is what has caused this paralysis.

Remember, it was Thune's bill that we passed in the Senate at the end of the last work period, not a Democratic bill. It was Thune's bill. THUNE put the bill on the floor to fund every single Agency within DHS except for ICE and Border Patrol, and it passed unanimously.

It was Thune's bill; Democrats agreed and voted yes. In fact, Democrats agreed twice. It was Speaker JOHNSON, cowed by radical rightwing Republicans in the House, who stood in the way—not Democrats.

If JOHNSON would have put the bill on the floor, which he was afraid to do, it would have passed. So if the majority leader wants to put an end to this Department of Homeland Security shutdown, he should start talking to Speaker JOHNSON in the House instead of pointing fingers at us.

That is why DHS remains shut down, even though every single Democrat stands ready to fund agencies like TSA, FEMA, Coast Guard, and CISA and at a moment's notice.

But this is not the path Republicans want to take. They do not seem interested in reaching a compromise to rein in ICE with exceedingly simple guardrails.

We were clear from the start about what kind of reforms the American people want, and Republicans have never moved, never budged. Republicans seem so sickened, in fact, by the idea of basic reforms to ICE that they would rather take up weeks of the Senate's time, ramming through a party-line reconciliation package without a shred of the reforms that Americans demand, commonsense reforms that police departments in every part of the country obey: no masks, warrants when you break into someone's home, cooperating with local authorities.

That is right, instead of passing legislation to lower gas prices, lower grocery prices, lower energy costs, Republicans want to hijack the Senate and spend weeks on reconciliation to ram through billions more for ICE with zero reforms.

So while I have great respect for the Republican leader, the plain facts are these: Democrats are not the ones dragging this shutdown on; Republicans are.

And, again, I say this to Leader THUNE: Republicans could open DHS today, all they have to do is start listening to the American people and stop obeying Donald Trump and the MAGA radical right.

#### IRAN

Mr. President, on Iran, there is an old saying that says "success has a thousand fathers, but failure is an orphan." The Republicans who voted against our War Powers Resolution yesterday, they may try and dodge responsibility for Trump's failed war, but they have joint custody over this debate. And certainly the war is a debacle.

After 48 days of destruction, carnage, and soaring costs here in America and around the world, Trump has no idea how to end this war, just as he had no plan when he started it. All this war has gotten us is a more radical Iranian regime with greater nuclear ambitions, a closed Strait of Hormuz, skyrocketing gas costs, and the ire of the world.

Is anyone surprised that only one in four Americans think that "Operation Epic Failure" has been worth it? That is what we call it, Operation Epic Failure.

Trump isn't practicing the "Art of the Deal"; Trump is practicing the "Art of Defeat", and he seems all too good at it. Republicans are kidding themselves if they think they can distance themselves from Trump's Iran blunder by sitting on the sidelines.

When it comes to war and peace—the most important decision a legislator can make—Republicans in the Senate and the House have an obligation to take a stand, but they are putting their heads in the sand. They haven't even had one hearing on this war. This is a war that has gone on close to 50 days, creating huge problems for our economy, huge problems for our national security, and not one hearing? What are you afraid of?

Republicans have had four opportunities to support our War Powers Resolution, to finally reassert Congress' constitutional authority, and each time they have said no. But the debate is not over. Next week, Republicans will have to answer the question again: Do you want endless war with Iran, yes or no?

Senate Democrats will bring our War Powers Resolution to the floor for a vote next week and every week that Trump's war continues.

Republican silence is a stamp of approval. Republican silence is a stamp

of approval, saying they will support, acquiesce, and go along with this disaster.

I thank Senator DUCKWORTH for introducing this resolution and arguing for it so eloquently as only she can.

And I want to thank Senator KAINE for keeping this pressing issue on the top of the mind for the Senate and for the Nation. The same goes for Senator BOOKER and so many in our caucus who have participated in this debate.

TRIBUTE TO ASSISTANT CHIEF SEAN P.  
GALLAGHER

Finally, on Assistant Chief Sean Gallagher, I want to join the rest of the Senate today in saying thank you and goodbye to one of the most beloved members of the Capitol Police, Assistant Chief Sean Gallagher. He retires today after 25 incredible years. He joined the Department in April of 2001 and has been a part of keeping the Capitol Complex safe during some of the most consequential moments in our Nation's history, from national crises, to Presidential inaugurations, to papal visits, and so much more.

After January 6, he led the establishment of the Department's peer support program, and helped create the Howard C. Liebengood Center for Wellness to support officer well-being.

We thank Assistant Chief Gallagher for 25 years of service to the U.S. Capitol Police, to Congress, and to our Nation.

We say goodbye and thank you on your retirement.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

H.J. RES. 140

Ms. KLOBUCHAR. Mr. President, we have a vote before us today, and this vote is involving an unprecedented use of a procedural mechanism that would have far-reaching consequences, not just for the beautiful Boundary Waters Canoe Area in Minnesota, but for public lands across our country.

And I want to thank my colleagues, including, of course, Senator SMITH who you are about to hear from, Senators HEINRICH and BALDWIN for speaking out against this resolution on the floor last night.

I have especially been careful when you look at a project like the one proposed here that is so close to the cherished Boundary Waters Canoe Area, and I continue to have concerns about this administration's intention and their disregard of science across the board in every Agency in the government, but especially when you are looking at something like this.

So, as many of my colleagues know, I am the granddaughter of an iron ore miner. My grandpa loved that life, but he mostly also loved the time he had in the outdoors. He would go down in a cage 1,500 feet every single day with the lunch bucket that my grandma would pack for him, that black lunch bucket.

I always thought, what did he think when he was going down every day,

when he was saving money in a coffee can to send his two sons to college when he never even got to graduate from high school? Well, he would think of the outdoors because he loved to hunt, he loved to fish, and he loved to pick blueberries.

In his later years, he became a foreman of the mine. I would meet people when I was first running for the U.S. Senate up in Northern Minnesota, where my relatives live, and they would say to me: You know, my dad worked with your grandpa.

They said: A lot of times, the foremen would never go down when they found a new part of the mine. They would always stay up at the top and radio down. But your grandpa always went with the guys, and he always went first.

That was my grandpa.

So the joy he had was the outdoors.

That mining life is so important in Northern Minnesota. And I have stood with our miners. I have stood with them when steel was dumped from China. I have brought the former President's Chief of Staff up to Northern Minnesota, where we met with steelworkers, where we met with mine owners, and we have made the case for changes. We have made the case for their benefit. We have made the case for them. And that is why we are getting a new mine, Mesabi Metallics, which is a taconite mine that I just visited last week. It is incredible. Hundreds and hundreds of new jobs are about to open, construction jobs. That permitting process has been fair, and it has been fast. But what we have today is something else.

It has always been a balance of the working life and mining and the outdoors. My family values the outdoors. My mom and dad met in the Twin Cities Hiking Club, and generations of Minnesotans have found the same joy up north.

So let's talk about H.J. Res. 140. It would threaten public lands across the country. So many of our colleagues know this. Senator SMITH has made this case ardently and repeatedly.

Secretaries of the Interior have long had the ability to issue public land orders to reserve Federal land for specific uses, setting it aside for things like infrastructure, certain military purposes, training, border security protection, and, yes, conservation. But now, for the first time, the Congressional Review Act is being used to rescind the public land order that bans mining in the Boundary Waters for 20 years.

Senator HEINRICH, the ranking member on the Interior Committee, will soon tell you that this is unprecedented. Public land orders have never been considered rules under the CRA and have never been submitted to Congress' rules.

The Bureau of Land Management and the Forest Service conducted a public input process.

Today, the CRA before the Senate is being used simply as a way of revoking

the land withdrawal without having to conduct the level of public engagement that is expected.

The unprecedented use of the CRA will have broader disruptive impacts on the ability of land management agencies to oversee public lands all across the country. Yes, this is focused on Northern Minnesota today, but where will it be next time? What part of your State will it be focused on? What will happen to your public lands?

If this CRA resolution were approved, public access to some of the Nation's most treasured landscapes could be lost and the careful management of their lands and waters eliminated.

There are hundreds of public land orders that have been issued to protect our public lands that would be put at risk. Twenty-five military withdrawals would no longer be considered final. The CRA could even threaten the protected status of the Grand Canyon.

So I will close with this, as I did last night. Sigurd Olson, the great Ely, MN, author and conservationist who went from that small, hardscrabble mining town to great national prominence, someone who loved the land and was a beautiful author—he wrote:

Joys come from simple and natural things: mists over meadows, sunlight on leaves, the path of the moon over water.

That is the Boundary Waters to me. That is the Boundary Waters to so many people in Minnesota and across our country.

In 1978, President Jimmy Carter signed into law Hubert Humphrey's bill to protect this area by creating the Boundary Waters Canoe Area Wilderness.

This was a special, special place to my dad and to our family. My dad actually went to Ely Junior College when Sigurd Olson was the dean, and that launched a lifelong friendship. I found books of Sigurd Olson's in my dad's belongings after we lost him, with notes of my dad of their meetings together and their time together.

As my dad said, the Boundary Waters is a million acres of waterways and forests unlike any in the United States. So we should be preserving and treating these public lands as treasures, not messing around like is happening today.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, why are we here today? We are here today because some people want to abuse the Congressional Review Act and use it in a way it has never been used before.

The Boundary Waters is protected from copper sulfide mining because there was a secretarial order that was put in place, a narrow order authorized by statute under FLPMA—the Federal Land Policy and Management Act—which specifically spells out the Secretary of the Interior's authority to do this. It is not a regulation.

The Congressional Review Act was written to prevent regulatory overreach. Regulations are broad. They

apply to large swaths of the country. They are not things that are authorized specifically in statute.

This has never been done before, and if we do this here, if we do it to the delegation from Minnesota, who has spoken up again and again and again about why this is wrong, what about when it is aimed at Montana? what about when it is aimed at Alaska? what about when it is aimed at South Dakota?

This is wrong. And why are we doing it? To pad the pockets of the President's buddy from Chile so that he can take our minerals—our minerals, the American people's minerals—send them to China, process them in China, and then maybe sell them back to the American people with a tariff. This is nuts. Is that "America First"? That is "America Last."

What is at stake? What is at stake is a million acres of the most pristine public lands in the United States, places where my kids have canoed and fished and forged their identities. We are going to do that to Minnesota? We are going to do that to the delegation from Minnesota? We are going to do that to the American people who cherish this place?

Twenty percent of the National Forest Service System's freshwater is in these Boundary Waters, and we are going to pollute that with sulfuric acid? This company plans to dump millions of tons of waste rock on this site. That will never be removed. It will be sitting there, waiting for the air and the water to turn that waste rock full of sulfides into sulfuric acid.

I can tell you as somebody who has been a natural resources trustee, who has had to negotiate with copper companies in my own State, that this type of copper mining has never been done without polluting the water—never. Not once. So we are guaranteeing that we are going to pollute the Boundary Waters.

It is fashionable today to talk about selling off the public lands. These places—this place that people like Teddy Roosevelt and Sigurd Olson and so many others fought to preserve—they are the anvil on which we have forged our collective identity as a country. They are the places we are still free. They are not places to sell off to some foreign company for a few years of profit, a few years versus a century of identity for the people of Minnesota and this country.

This is a dark day for this body. This is a stain on what the Senate used to be but certainly is not today.

The public lands are the one thing, when I go home, that unites my constituents from left to right. Whether you are a bowhunter or a bunny hugger, it doesn't matter—they love our public lands, and they care about our public lands.

There are many places that we can mine and do it right. My dad worked for Anaconda Copper. My grandfather was a gold miner. This is a boondoggle. This is wrong.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. SMITH. Mr. President, I want to start by just thanking my colleague from Minnesota, Senator KLOBUCHAR, and Senator HEINRICH and Senator BALDWIN and all of my colleagues on both sides of the aisle who have joined me in opposing H.J. Res. 140.

I start from this place: One of our most important responsibilities, I think, in this body is to protect our precious public spaces—those places that, as Senator HEINRICH just said so eloquently, helped to forge our national identity and connect us to our past and to our future. I am thinking of places like Yosemite and the Black Hills of South Dakota, the Grand Canyon, and, of course, the Boundary Waters.

Traditionally, historically in this body, we have approached our responsibilities to protect these precious places with a sense of balance. We think of the value of the wilderness itself. We also think of the need for economic opportunities for our constituents. We think of our responsibilities around stewardship of these places, of these natural resources.

In that balancing effort that we have traditionally tried to take, we are guided by the science; we are guided by public input, what people in these parts of the country think is the best thing to do, because those folks that are closest to the issues, closest to the land are going to have the best ideas about what should happen to the land. Also, we are guided by the longstanding trust and treaty obligations that the Federal Government has to the Tribal nations, a sovereign relationship that goes beyond just the laws of this country.

This is actually what Minnesota knows how to do. We know how to strike this balance. Minnesota is the No. 1 producer in the country of iron ore. The battleships and the tanks of World War II were built with Minnesota iron.

Minnesota is also moving down the path of figuring out how to safely and responsibly mine the copper and the nickel and the platinum group of metals that are there in the Duluth Complex up in Northern Minnesota. You can see it in the maps that I was showing last night.

But Minnesota also understands—we know that you can support mining, but that does not mean that you support every mine in every place. I think that this is bipartisan. We understand this in our country. We can support the need for mining, but that doesn't mean that we mine on the edge of Chaco Canyon or on the rim of the Grand Canyon, and it does not mean that we think that a copper sulfide mine on the doorstep of the Boundary Waters is a good idea.

Colleagues, what you are about to do, should you end up passing H.J. Res. 140—what you are about to do is fly in

the face of that balance that has traditionally been a bipartisan goal, something that we have traditionally worked on together. You are about—should you make this vote, you are about to overturn a public land order that was put in place 3 years ago that stopped not all mining—not all mining, colleagues—but this particular kind of copper sulfide mining for 20 years in just one place—in this one place—in the Superior National Forest on the doorstep of the Boundary Waters.

If this is the decision that you end up making, colleagues, in this goal that we have of striking a balance, you are picking one side over the other. You are putting your thumb on the wrong side. When it comes to protecting this precious place, you are choosing the wrong side because you are not protecting this place that needs our support, that needs our protection.

Colleagues, the outdoor economy and outdoor recreation is essential to the vibrancy of Northern Minnesota. You are not choosing that if you make this decision, and you support H.J. Res. 140.

Of the small business people who count on the economy of Northern Minnesota and the outdoor recreation economy, I have a letter here from dozens and dozens of Minnesota small businesses beseeching the Senate to oppose H.J. Res. 140, and the reason is they tell us right here.

They say:

The love for the Boundary Waters powers a strong and enduring recreation economy in Northeastern Minnesota . . . 17,000 jobs and over \$1 billion in sales annually in the region.

Many small businesses have been able to grow and develop and support their families because of the access to this incredible resource of the Boundary Waters. But, no, colleagues, you would not be choosing that in this balance that we are trying to strike.

Colleagues, if you support H.J. Res. 140, you are ignoring what Minnesota wants, not only the hundreds of thousands of people who sent in their public comments during the process of setting aside this space and protecting it from mining but the 70 percent of Minnesotans who say: No, we do not want this mine in this place. We want our elected leaders to protect—to protect—the Boundary Waters.

I want to be clear because there has been a question about this. This is not just people from the Twin Cities who go up to the Boundary Waters to visit. This is everybody in Minnesota. This is people who live in Northeastern Minnesota who want to see this protection done.

So, colleagues, if you support H.J. Res. 140, you are also choosing to ignore the trust and the treaty obligations that we have to the Chippewa Tribes in Northern Minnesota. You are saying: Nope. We are not going to pay any attention to that. That doesn't matter.

You know that this mine is going to infringe on their hunting and fishing

rights, on their rights to harvest wild rice, but you are saying: I am not going to come down on that side of the scale.

What you are going to do if you support H.J. Res. 140 is you are going to come down—who is the winner here? You are going to come down on the side of a Chilean billionaire, a Chilean billionaire who owns the largest copper mine—the largest copper company—in the whole world, a Chilean billionaire who is going to take our minerals, ship them to the Pacific coast, where they are going to go to China to get smelted—where this company has a sweet-heart deal with their smelters. Then, if we are lucky, that copper is going to be sold back to us at a profit.

That is not an “America First” strategy, colleagues. That is a “Chilean Billionaire First” strategy.

I can't help but just recognize that, as we are on the cusp of making this decision in the Senate, isn't it ironic that President Trump, who says that he is a supporter of miners and that he stands with steelworkers, is about to use foreign steel to build his billionaire ballroom off of the White House? What is that about?

Now, look, I understand that there are different perspectives on this mining issue—I see this play out every single day in my beloved State of Minnesota—but as you vote, I ask you to think about this: I ask you to think about the precedent that you are setting here because here is what I have learned after having been in the Senate for the last 9 years: What goes around comes around. What goes around comes around because what you would be doing here, colleagues, is you would be allowing this public land order to be rescinded under the Congressional Review Act. This is a dangerous precedent. This has never been done before. Public land orders have never previously been submitted by any administration, including the Trump administration, as rules subject to the CRA. This would be the first one submitted even though this public land order was submitted 3 years ago, processed legally, and done by the book—done by the book that Congress wrote.

So what does this really mean if this is the step that the Senate takes today?

What this would mean is that any public land order that has been done over, potentially, decades could then be rescinded by some partisan act of Congress just willy-nilly. Think about what this means. It means mineral leases, and it means timber public land orders in North Dakota. It means that any public land order that has been out there in the past or potentially any administrative action could be just undone under a privileged process in the U.S. Senate.

Colleagues, I beseech you not to do this. I know that this is a terrible thing for us to do. I know that not only will it have impacts for my beloved Boundary Waters in my State but that it will have impacts in all of our States.

So, as I close, I want to speak directly to the Minnesota people who care so much about the Boundary Waters and who care so much about the precious places that we have all over this country.

You have organized. You have made calls. You have sent messages. I am thinking about the hunting and fishing groups. I am thinking about the outdoor groups. I am thinking about the Minnesota citizens and American citizens. I am thinking about all of the Tribal leaders and members who have made your voices heard.

I want everyone to know that whatever the outcome of this vote this afternoon, that we will not stop fighting, and we will not stop our work to protect the Boundary Waters. Of all the places that we have in this country, this place has such special meaning. It is a sacred place, and we will never stop defending it.

I yield the floor.

The PRESIDING OFFICER. The clerk will read the joint resolution by title for the third time.

The joint resolution was ordered to a third reading and was read the third time.

#### VOTE ON H.J. RES. 140

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mrs. MOODY. Mr. President, 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 legislative clerk called the roll.

Mr. BARRASSO. The following Senator is necessarily absent: the Senator from Missouri (Mr. HAWLEY).

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 84 Leg.]

#### YEAS—50

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

#### NAYS—49

Alsobrooks	Gillibrand	Murray
Baldwin	Hassan	Ossoff
Bennet	Heinrich	Padilla
Blumenthal	Hickenlooper	Peters
Blunt	Hirono	Reed
Booker	Kaine	Rosen
Cantwell	Kelly	Sanders
Collins	Kim	Schatz
Cooms	King	Schiff
Cortez Masto	Klobuchar	Schumer
Duckworth	Lujan	Shaheen
Durbin	Markey	Slotkin
Fetterman	Merkley	Smith
Gallego	Murphy	Tillis

Van Hollen	Warren	Wyden
Warner	Welch	
Warnock	Whitehouse	

NOT VOTING—1

Hawley

The joint resolution (H.J. Res. 140) was passed.

The PRESIDING OFFICER (Mr. HAGERTY). The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that with respect to H.J. Res. 140, the motion to reconsider be considered made and laid upon the table.

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

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Andrew B. Davis, of Texas, to be United States District Judge for the Western District of Texas.

The PRESIDING OFFICER. The Senator from Wyoming.

(The remarks of Mr. BARRASSO pertaining to the introduction of S. 4317 are printed in today's RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Mr. BARRASSO. I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

#### FISA

Mr. WYDEN. Mr. President, soon, we will cast important votes here in the Senate on surveillance law. I rise today to share some important new developments about the surveillance practices of this administration, which are vital to this debate.

Today, I want to start by warning my colleagues: Any Senator who votes to reauthorize this law without real reform will be directly responsible when the Trump team abuses their spying powers to go after Americans. I want the Senate to know the alarm bells are loud and getting louder.

Senators know the surveillance law known as section 702 of FISA expires on Monday. I have been on the Intelligence Committee since the law was written. It is undeniably a useful tool that American intelligence agencies rely on to collect information about foreigners outside the country. The problem is that 702 lacks adequate safeguards to protect Americans whose emails and texts or other communications can get swept up in this surveillance. So you could have Americans doing legitimate, often sensitive, important work—journalists, foreign aid workers, people with family overseas, even women seeking abortion medication from a provider overseas.

Reformers argue that 702 should only be reauthorized with stronger protections—protections for constitutional