

the check is that we get. And Trump's acting director at Social Security threatened, in response to a court order blocking DOGE access to your private Social Security, to just, basically, turn it all off.

This is, bottom line, a huge threat to Americans, to seniors, to people with disabilities in our Nation. It is a direct assault.

The nominee to be the next Social Security administrator, Frank Bisignano, today before the Senate, refused to undo any of the harmful actions taken by DOGE. He refused to even acknowledge DOGE was behind the cuts and closures. He refused to call benefits delayed benefits denied. He refused to commit to adequate staffing levels for the Agency.

For these reasons, I am refusing to give him my vote to be our next administrator. I am voting no on the administrator. I am saying absolutely unqualified for this job because he doesn't understand the core of this intergenerational responsibility and obligation that we have to seniors in our country.

The Trump administration can tell lie after lie, but Americans know the truth. Social Security is a promise we make to current and future generations. For our parents, for our grandparents, and for all of us, the assurance of Social Security means that we need never worry about living out our final years in poverty in the United States of America. That is why Social Security was put on the books in the 1930s, because of the wave of poverty among seniors in our Nation. People have contributed to Social Security throughout their entire lives. Social Security is not an entitlement; it is an earned benefit.

But this isn't a new formula that Trump and Musk and Republicans have come up with. In 2005, President George W. Bush and Republicans tried to privatize Social Security. Can you imagine what would have befallen our Nation's seniors if George W. Bush and Republicans had succeeded and then millions of Americans' nest eggs had been wrapped up in the 2008 stock market crash? Our "greatest generation" would have become a destitute generation.

Today, Donald Trump and his billionaire advisers, like Secretary Lutnick, have said that a recession wouldn't be so bad, that it would be "worth it." A recession would be worth it. Ask people who lived through the Great Depression, like my parents. How did that go for them and their families? I will tell you what: In my family, it didn't go well. It set my family on both sides—my father's and mother's side—back an entire generation. That is how devastating the Great Depression was.

So tell the retired workers; tell their survivors; tell the vulnerable, the poor, the disabled Americans for whom Social Security isn't just a budget line, it is a lifeline. But Trump only cares about his billionaire donors' bottom lines.

Social Security has paid out benefits on schedule for nearly 70 years. But to keep our promise in the future, changes to the program will have to be made. To shore up Social Security, we must require millionaires and billionaires, like Donald Trump, Howard Lutnick, and Elon Musk, to pay as much into Social Security as everyone else. It is time they pay their fair share and stop trying to pay for their tax cuts with the earnings of those who built this country.

It is essential that Social Security be preserved for today's retirees and for future generations. It has served as a never-fail insurance program for every single American worker's retirement since the program's inception. It is the crown jewel of the New Deal. And Republicans have been going after it from day one. Republicans haven't been able to destroy Social Security yet, and we are not going to let Trump and Musk or billionaires succeed in looting all of that Social Security money so they get a tax break.

The health of all of those seniors is more important than the wealth of the billionaires who will benefit from the slashes to the Social Security system, which they are planning.

Elon Musk said the truth about how they view Social Security. He called it a Ponzi scheme. That is all you have to know about the Republican Party. They opposed Social Security when it was put on the books in the 1930s, and they always harbored an ancient animosity towards Social Security; waiting for the moment, waiting for the opportunity where they could slash Social Security to send us back to before the 1930s when families were gutted, when there was no income for Grandma and Grandpa. That is what we are talking about.

But I am going to tell you this: They are going to have a fight on their hands. We are going to stand up and fight for them. We are going to make sure that Social Security is preserved. We are going to make sure that Donald Trump and Elon Musk, that the Republican Party does not destroy Social Security as we know it today. They have a fight on their hands.

I am ready for this fight. I am ready to defend the seniors in our Nation. I am ready to protect the disabled who depend upon Social Security. This is the time to have this showdown, and they are going to regret ever putting Social Security into play. I am ready for this fight.

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

The PRESIDING OFFICER (Mr. CURTIS). Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—S. RES. 136

Mr. DURBIN. Mr. President, I come to the floor to make a unanimous consent request. That is a process in the Senate where we agree on things because no one disagrees—unanimous consent.

I have made this request before. Senator GRASSLEY, who is my colleague and friend from the State of Iowa—different political party, but occasionally we do agree—he has a different point of view. He is likely to object. I will keep my fingers crossed that my speech will be so convincing that perhaps he will change his mind. We will see.

But what we are basically discussing on the floor, at this point, is whether or not, if the court issues an order, a public official has to follow the order. It is pretty basic. It gets down to the daily routine of courtrooms across the Nation.

Now, it has more meaning because there is a question as to whether this new President—President Trump—is going to follow a court order, if it is handed down by a court.

So my unanimous consent request is one on basic principle, as to whether or not people—elected officials—are required to follow court orders. I would like to make a statement in support of my offer.

I have come to the floor several times in recent weeks to speak about unacceptable attacks on the Federal judiciary—the Federal courts—by President Trump and his allies. These attacks are not only wrong but dangerous. It is posing a serious threat to our constitutional order.

I am sorry to say that the attacks on our judges and our judiciary have not stopped, as I have made these requests on the floor. Instead, they have grown worse.

Last week, President Trump himself called for the impeachment of a Federal judge simply because the judge ruled against the Trump administration. The President's MAGA loyalists were quick to pile on when he did that. Elon Musk has demanded the impeachment of Federal judges dozens of times, and House Republicans rushed to introduce articles of impeachment in the House.

In response to this unprecedented attack on the Federal judiciary, Chief Justice Roberts and the Supreme Court issued a rare statement. It reads:

For more than two centuries, it has been established that impeachment is not an appropriate response to disagreement concerning a judicial decision. The normal appellate review process exists for that purpose.

Yet this relentless campaign against the judiciary has continued.

On Friday, President Trump issued a wild rant that read, in part—this is the President: "Unlawful Nationwide Injunctions by Radical Left Judges could very well lead to the destruction of our country! These people are Lunatics" the President's Tweet read.

There has been a lot of debate about when we will cross the threshold into a

genuine constitutional crisis. I pray that it will never happen, but it will come down to a basic principle.

The question is not when we are going to face this. It is whether we can afford to hold our breath and wait to see if the President will formally announce he will defy a court order.

We must respond to the dangerous attacks on our courts and judges now. The Senate must speak with one voice, Republicans and Democrats, in defense of the judiciary, the separation of powers, the Constitution, and the country we love. This cannot and should not be a partisan issue.

Last month, my colleague Senator KENNEDY, a Republican of Louisiana, admonished two Trump nominees who suggested, in a hearing in the Judiciary Committee, that the executive branch can ignore court orders.

Senator KENNEDY said:

Don't ever, ever take the position that you are not going to follow the order of a Federal court—ever. Now, you can disagree with it within the bounds of legal ethics, you can criticize it, you can appeal it, or you can resign.

Earlier this month, Senator CORNYN, a Republican of Texas, said:

You don't impeach judges who make decisions you disagree with. That happens all the time. What you do is appeal. If you are right, then you are going to win on appeal.

These words by my Republican colleagues demonstrate an understanding of checks and balances and our Constitution.

Some have argued that impeachment of judges is necessary because of the number of injunctions issued against President Trump compared to other Presidents. They claim this is evidence that Federal judges are biased against President Trump. I would suggest there is a more obvious explanation: The number of injunctions issued against the first and second Trump administrations is evidence of a President who has repeatedly violated the law.

I also want to respond to the baseless claims from, of all people, unelected Elon Musk and other MAGA allies that the most recent judge to be targeted by President Trump is some sort of radical ideologue. Let's be clear: Judge Boasberg is no partisan. He was actually appointed to the Superior Court of the District of Columbia by a Republican President, George W. Bush.

As a DC district court judge, Judge Boasberg has issued many rulings that illustrate—clearly illustrate—impartiality. For example, he was the judge who ordered the release of thousands of Hillary Clinton's emails, and his decisions have favored President Trump's interests on several occasions.

Other judges who have ruled against the Trump administration were appointed by Republican Presidents, including some who were appointed by President Trump himself. He is not always going to win in court, but he seems to think he should.

As Chief Justice Roberts said, in 2018, in response to an earlier attack on the

judiciary by the same President—President Trump—"we do not have Obama judges or Trump judges, Bush judges or Clinton judges. What we have is an extraordinary group of dedicated judges doing their level best to do equal right to those appearing before them."

Unfortunately, leading Republicans, including Secretary Rubio and Elon Musk, have aligned themselves with the likes of El Salvador's Nayib Bukele, a foreign dictator in El Salvador who destroyed judicial independence in his own country and now is attempting to interfere in our internal affairs. Musk went so far as to endorse Bukele's false claim that "the U.S. is facing a judicial coup."

Fortunately, the American people know better. A recent Washington Post poll found that an overwhelming majority of Americans believe President Trump must follow Federal court orders, including 79 percent of Republicans who agree with that.

With strong bipartisan support, America knows no President is above the law, and the danger posed by the Trump administration's attack on the judiciary is not abstract. The recent invective by the President and his allies has resulted in increased threats to the lives of judges and their families.

That is absolutely unacceptable. Our judges should not fear for their lives and those of their loved ones because of their work. If judges feel compelled to decide cases in favor of the President to avoid his wrath, we will no longer have an independent judiciary. We can debate the value of nationwide injunctions and the merits of any particular judicial decision, but violence or threats of violence, whether from the right or the left of the political spectrum, are never, never acceptable.

In December of 1862, in the midst of the Civil War, a month before he issued the Emancipation Proclamation, Abraham Lincoln submitted his second annual address to Congress. It was read aloud by the Secretary of the Senate. It included these famous words:

We shall nobly save, or meanly lose, the last best hope of earth.

America retains this last best hope of Earth—for democracy, for freedom, for liberty, and justice. It is up to both political parties to protect it. We have sworn to uphold and defend this Constitution. Now, we will be tested.

An independent judiciary has nobly saved our Nation many times throughout history. It is a critical pillar upholding our constitutional order. As Chief Justice Marshall famously declared, "it is emphatically the province and duty of the judicial department to say what the law is."

And it is the duty of Congress to support the judicial branch against unwarranted attacks by the executive. For that reason, the resolution I offer today affirms that the Senate supports the rule of law, the judicial branch, and the Constitution.

Mr. President, as if in legislative session and notwithstanding rule XXII, I

ask unanimous consent that the Senate proceed to the consideration of S. Res. 136, affirming the rule of law and the legitimacy of judicial review, which is at the desk. Further, I ask that the resolution be agreed to and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Iowa.

Mr. GRASSLEY. Reserving the right to object, before I give my reasons for objecting, I want to comment on a couple of things in your remarks.

Before you spoke, you spoke about the times that we often agree. Just today, you and I—I won't go into the subject matter. But just today, you and I cosponsored a bill together, as an example.

The other thing I would like to say, before I go to my remarks, is that I want to associate myself with your quote from our colleague Senator CORNYN that you don't impeach judges just because of a decision, because we would be impeaching judges all the time. That is my additional comment.

The third thing is to inform you that I hope I can get, as chairman of the Judiciary Committee, something moving in this area. I happen to agree with some Democrats, in previous years, that said some judges have gone way beyond what a judge should do on national injunctions, and I hope to find a solution for that. I would hope that you and I maybe could work on that together because I know Democrats have made that same accusation about district court judges in 1 district out of 93 in the United States applying their decision nationally.

So now, I would like to go to my reason for objecting. A few weeks ago, I objected to a version of this resolution because I considered that something that both Democrats and Republicans do too much around here is nothing but a political messaging exercise. Today, I come here for the same reason.

I won't stand by and allow my colleagues to imply that "the rule of law"—those three words—only matters when there is a Republican President.

As I explained a few weeks ago, the Biden administration engaged in 4 years of complete lawlessness. Instead of condemning it, Democrats viciously attacked the legitimacy of the courts for ruling against the Biden administration. The silence that we heard from Democrats about the rule of law during the Biden years is quite deafening.

I won't repeat my last speech, but I will expand on one of my previous objections.

This resolution demands that the President comply with all court orders, but it is completely silent about the role of the Federal courts to adhere to the law themselves. For a number of years, but particularly in the last few months, we have seen increasingly sweeping, potentially lawless orders coming from any 1 of our 600 district judges out of the 93 districts we have.

Although our Founders saw an important role for the judiciary, individual judges have empowered themselves to become nationwide policy-makers, as opposed to interpreting law. I consider this very dangerous.

In the last few weeks, individual unelected judges made policy decisions for the whole country. Some examples include: ordering the President to stop deporting foreign terrorists; directing the military to enlist and retain transgender servicemembers; directing who will and will not staff the President's administration—that is really extraordinary, I think—and then, lastly, an example, ordering the immediate expenditure of billions of dollars. One judge even went so far as to order the government to pay out 2 billion taxpayer dollars and to do it within 36 hours.

Much of this would go to organizations not even involved in the case, and the government would never be able to get this money back, even if they ultimately won on appeal.

In the 2 months since President Trump has entered office, his administration has suffered more of these sweeping orders at the hands of district court judges than the Biden administration experienced in 4 years.

I want to emphasize that—more obstacles to carrying out what the President wants to do in 2 months and stopped by the court more than the entire 4 years of the Biden administration.

Has President Trump chosen to ignore this avalanche of irresponsible court orders? Flat-out no. He has appealed these outrageous decisions, just as he promised he would do when he said:

I always abide by the courts and then I'll have to appeal it. . . . The answer is I always abide by the courts.

Appellate courts have responded by striking down many of the unlawful intrusions into Presidential authority, but the core problem remains: The President of the United States shouldn't have to ask permission from more than 600 different district court judges to manage the executive branch that he was elected to lead.

The practice of sweeping, nationwide injunctions, broad restraining orders, and judicial policymaking must end. It is unconstitutional, it is anti-democratic, and it is imprudent. If the Supreme Court won't stop it, then Congress must. And I wish the Supreme Court would get on this and do it right away.

This issue isn't a partisan issue. I want to work with Democrats, as I just said to the Senator from Illinois.

Democrats, work with us to fix this. In the past, Democrats and Republicans have both criticized nationwide injunctions and the power of individual district judges. My Democratic colleagues have even proposed legislation to rein in some of these abuses.

You don't have to take my word for it. In 2022, Justice Elena Kagan correctly observed:

It just can't be right that one district judge can stop a nationwide policy in its tracks and leave it stopped for the years it takes to go through the normal process.

In 2024, President Biden's Solicitor General, Elizabeth Prelogar, argued before the Supreme Court. Now listen to this quote:

A court of equity may grant relief only to the parties before it. The district court violated that principle by issuing a universal injunction purporting to enjoin the Act itself and forbidding the enforcement of the Act even against non-parties.

So, as I told Senator DURBIN, I hope to soon be holding a hearing in the Senate Judiciary Committee to address this matter and even introduce legislation to end these abuses. I hope both my Democratic and Republican colleagues join me in this effort.

For the resolution at hand, I propose an amendment so it reads "the Constitution of the United States and established precedent require the executive branch to comply with all lawful Federal court rulings." This simple change of one word—"lawful"—will show that Congress expects both the executive branch and the judicial branch to respect the rule of law and constitutional constraints.

My amendment mirrors what the Chief Justice said in 2024. The Chief Justice rightly raised concerns about the intimidation and the threats leveled at the Court in the wake of the Dobbs decision. He said:

The final threat to judicial independence is defiance of judgments lawfully entered by courts of competent jurisdiction.

He had no problem adding the word "lawful" in. We shouldn't have it any other way.

So therefore I ask the Senator, my friend from Illinois, to modify his request such that the GRASSLEY amendment to the resolution at the desk be considered and agreed to.

The PRESIDING OFFICER. Is there an objection to the modification?

The Senator from Illinois.

Mr. DURBIN. Mr. President, reserving the right to object, the resolution I offered today is short and straightforward. It is not complicated. It simply restates a bedrock principle of our democratic system of government that it is the responsibility of the judiciary to say what the law is, and, second, the executive branch is required to comply with court orders. It is just that simple.

I offered a similar resolution 3 weeks ago. It included some language which my friend from Iowa did not like. I took that language out. I want to get down to the basics here, the very basics.

He made reference to the Dobbs decision. That overturned *Roe v. Wade* on abortion—a controversial issue in the United States since that decision in 1972 but a decision that was overturned by the Court. There were many who disagreed with the Court's approach to it and said that it was inconsistent with precedent and inconsistent with

what the Justices had promised. Yet, when it was all over, no one filed Articles of Impeachment against the Supreme Court, and there were no threats that I know, personal threats and physical threats, on the Justices and their families. There should never be. Violence is never acceptable.

After my colleague from Iowa objected to my previous language, I made it very simple—the simple fact that the Vice President and other prominent officials have suggested that the executive branch may disregard a Federal court order.

This, unfortunately, would be an item of controversy that could really threaten our constitutional democracy, and that is why I have asked that this very simple statement that everyone must follow the law when it comes to court orders be made part of the official record of the Senate.

With those changes, there is absolutely nothing objectionable in this resolution. Yet my colleague seeks to add language that would only muddle what this sentence should make clear. By stating that the executive branch only needs to follow "lawful" court orders, which is what the Senator from Iowa has suggested, it then begs the question of who decides a court order is lawful.

This suggests that in some cases, the President is going to decide rather than the judiciary. The responsibility to decide whether a court order is lawful is, in the words of Chief Justice Marshall, "emphatically the province and the duty" of the judiciary. If the President disagrees with a court order, his only option is to appeal it, and I have added language to my resolution stating that simple fact. Otherwise, the President would be above the law. America does not accept it, the Constitution does not accept it, and we should be bold enough and courageous enough to stand on a bipartisan basis and reject it as well.

The other amendment implies that courts are ruling against the administration because of "different policy preferences" rather than following the law.

Over and over and over again, thousands and thousands of times, we have had judicial nominees appear in the Judiciary Committee. But when asked the basic question of "What would you do in court if you had to make a decision?" they say "I will follow the law." That is basic. Now, their decision on the law may be different than yours or mine or some other judge's, but the fact of the matter is, they do believe—at least they tell us—that is their bedrock responsibility.

This resolution is nonpartisan. It is clear. It should be bipartisan. We ought to make it clear once and for all that no President—Biden or President Trump or any other President in the future—is above the law. Any further amendment is unnecessary. It undermines the simple, straightforward message which we should stand together and speak.

For these reasons, I object.

The PRESIDING OFFICER. Is there objection to the original request?

Mr. GRASSLEY. Are you asking about the original one?

The PRESIDING OFFICER. Yes.

Mr. GRASSLEY. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the text of my amendments at the desk be printed in the RECORD.

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

(Purpose: To improve the resolution)

On page 2, line 5, insert "lawful" after "all".

(Purpose: To improve the resolution)

On page 2, between lines 5 and 6, insert the following:

(4) Article III of the Constitution of the United States limits Federal courts to deciding specific "cases" or "controversies";

(5) it is inappropriate for courts of the United States to override legislative or executive action by the elected branches of government because of different policy preferences; and

Mr. GRASSLEY. I know of no further debate on the nomination.

The PRESIDING OFFICER. Is there further debate?

VOTE ON BHATTACHARYA NOMINATION

There being no further debate, the question is, Will the Senate advise and consent to the Bhattacharya nomination?

Mr. GRASSLEY. 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.

The result was announced—yeas 53, nays 47, as follows:

[Rollcall Vote No. 141 Ex.]

YEAS—53

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

NAYS—47

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

Smith	Warnock	Whitehouse
Van Hollen	Warren	Wyden
Warner	Welch	

The nomination was confirmed.

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

WAIVING QUORUM CALL

Mr. BARRASSO. Mr. President, I ask unanimous consent to waive the mandatory quorum call with respect to the Makary nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 45, Martin Makary, of Virginia, to be Commissioner of Food and Drugs, Department of Health and Human Services.

John Thune, Tim Sheehy, Mike Crapo, Markwayne Mullin, Joni Ernst, David McCormick, Rick Scott of Florida, Bernie Moreno, Mike Rounds, Tommy Tuberville, Katie Boyd Britt, Shelley Moore Capito, Jim Justice, John Barrasso, Steve Daines, Jon Husted.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Martin Makary, of Virginia, to be Commissioner of Food and Drugs, Department of Health and Human Services, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 56, nays 44, as follows:

[Rollcall Vote No. 142 Ex.]

YEAS—56

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

NAYS—44

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

The PRESIDING OFFICER. The yeas are 56, the nays are 44, and the motion is agreed to.

The motion was agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Martin Makary, of Virginia, to be Commissioner of Food and Drugs, Department of Health and Human Services.

The PRESIDING OFFICER. The Senator from Vermont.

FIRST AMENDMENT

Mr. WELCH. Mr. President, as you know, in 1791, our Nation's Founders had the boldness to ratify the First Amendment to the Constitution.

At the time, it was an extremely radical concept—protecting our fundamental individual freedoms to religion, to speech, to assembly, to the right to petition the government, and to have a free press that would operate without fear or government censorship.

The First Amendment deeply reflects our new Nation's view that we can have a society where individuals can freely voice their views, participate in civic life, and hold our political leaders accountable. These five guaranteed liberties are part of what makes us a free and democratic society.

I believe that all of the Members of the U.S. Senate share the commitment to the First Amendment, but there are extreme divisions among us about what that means. Let me explain where I do believe right now there is a significant assault on the First Amendment.

President Trump has sought to silence or to punish journalists who report negatively on him. This is not about a President because Democratic Presidents and Republican Presidents have been critical of journalists, but he is taking it to an entirely unprecedented level—banning the Associated Press from parts of the White House press pool because they don't use his own personal preferred name for the Gulf of Mexico. He is controlling the viewpoint of the Associated Press, and they are not relenting.

In a speech at the Department of Justice, President Trump said that the press that reports on him negatively should be, and this was his word, "illegal."

At the FCC, the Chairman has opened investigations into press organizations