

Two weeks ago, Mr. Lutnick appeared before the Commerce Committee, where he received a warm reception from Senators. The following week, he was reported out with bipartisan support, underscoring that many Commerce Committee members see Mr. Lutnick as highly qualified to serve as Secretary of Commerce.

Mr. Lutnick has demonstrated great resilience and grit throughout his life. As he revealed at the hearing, growing up with some real personal adversity has given him a deeper understanding of the challenges faced by ordinary working Americans.

He lost both of his parents before his 18th birthday, and he put himself through college and helped to raise his younger siblings.

On 9/11, Howard personally witnessed the fall of the Twin Towers. On that day, he lost two-thirds of his staff, including his own brother. Few men can recover from an experience like that, but Howard not only rebuilt Cantor Fitzgerald, but he made it into an international powerhouse with 13,000 employees and operations in more than 20 countries.

Just as importantly, he has dedicated his rebuilt company to helping support the families who lost loved ones on 9/11. He created the Cantor Fitzgerald Relief Fund to ensure that the families of employees who were killed received healthcare and millions in financial support. And he continues to serve as a board member of the National September 11th Memorial.

Over the next few years, Mr. Lutnick will lead on key issues vital to the success of America's economy: expanding commercial access to midband spectrum, keeping the gulf open for oil and gas exploration, and spurring a resurgence of manufacturing in America.

Mr. Lutnick will ensure that American taxpayer dollars are spent efficiently and that Congress gets "the benefit of the bargain" on legislation like the Chips and Science Act.

Mr. Lutnick has earned the support of nearly 50 organizations and associations. From agriculture to aviation, broadband to manufacturing, companies across the spectrum support President Trump's selection of Howard Lutnick to serve as Secretary of Commerce.

As the Wireless Association put it, "Mr. Lutnick's leadership will bring a fresh, innovative approach to the Department of Commerce." He will "advance policies that promote innovation, foster economic growth, and strengthen America's position as a global leader in wireless technology and digital transformation."

Mr. President, it is my hope that, given the bipartisan support Mr. Lutnick received in committee, the full Senate will follow suit and agree that he is the forward-looking leader focused on jobs who we need at the Department.

I urge my colleagues to support Howard Lutnick's nomination for Secretary of Commerce.

#### WAIVING MANDATORY QUORUM CALL

Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the Lutnick and Loeffler nominations be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CRUZ. Mr. President, I ask unanimous consent that the scheduled roll-call votes begin immediately.

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

#### CLOTURE MOTION

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

The senior assistant executive clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 19, Howard Lutnick, of New York, to be Secretary of Commerce.

John Thune, John R. Curtis, Tommy Tuberville, Kevin Cramer, Ashley B. Moody, Mike Crapo, Markwayne Mullin, David McCormick, Mike Lee, Ron Johnson, John Barrasso, Pete Ricketts, Jim Justice, Jon A. Husted, Bernie Moreno, Josh Hawley, Tom Cotton.

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 Howard Lutnick, of New York, to be Secretary of Commerce, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. BARRASSO. The following Senator is necessarily absent: the Senator from Arkansas (Mr. BOOZMAN).

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH), and the Senator from Arizona (Mr. GALLEG0) are necessarily absent.

The yeas and nays resulted—yeas 52, nays 45, as follows:

[Rollcall Vote No. 54 Ex.]

#### YEAS—52

Banks	Grassley	Mullin
Barrasso	Hagerty	Murkowski
Blackburn	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	
Graham	Moreno	

#### NAYS—45

Alsobrooks	Booker	Fetterman
Baldwin	Cantwell	Gillibrand
Bennet	Coons	Hassan
Blumenthal	Cortez Masto	Heinrich
Blunt Rochester	Durbin	Hickenlooper

Hirono	Murray	Shaheen
Kaine	Ossoff	Slotkin
Kelly	Padilla	Smith
Kim	Peters	Van Hollen
King	Reed	Warner
Klobuchar	Rosen	Warnock
Lujan	Sanders	Warren
Markey	Schatz	Welch
Merkley	Schiff	Whitehouse
Murphy	Schumer	Wyden

#### NOT VOTING—3

Boozman	Duckworth	Gallego
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The PRESIDING OFFICER (Mr. MORENO). On this vote, the yeas are 52, the nays are 45.

The motion is agreed to.

#### 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 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. 20, Kelly Loeffler, of Georgia, to be Administrator of the Small Business Administration.

John Thune, John R. Curtis, Tommy Tuberville, Kevin Cramer, Ashley B. Moody, Mike Crapo, Markwayne Mullin, David McCormick, Mike Lee, Ron Johnson, John Barrasso, Pete Ricketts, Jim Justice, Jon A. Husted, Bernie Moreno, Josh Hawley, Tom Cotton.

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 Kelly Loeffler, of Georgia, to be Administrator of the Small Business Administration, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Kansas (Mr. MARSHALL), and the Senator from Kentucky (Mr. PAUL).

Further, if present and voting: the Senator from Wisconsin (Mr. JOHNSON) would have voted "YEA."

Mr. DURBIN. I announce that the Senator from Arizona (Mr. GALLEG0) and the Senator from Michigan (Mr. PETERS) are necessarily absent.

The yeas and nays resulted—yeas 51, nays 43, as follows:

[Rollcall Vote No. 55 Ex.]

#### YEAS—51

Banks	Cotton	Grassley
Barrasso	Cramer	Hagerty
Blackburn	Crapo	Hawley
Britt	Cruz	Hoeven
Budd	Curtis	Husted
Capito	Daines	Hyde-Smith
Cassidy	Ernst	Justice
Collins	Fischer	Kelly
Cornyn	Graham	Kennedy

Lankford	Mullin	Scott (SC)
Lee	Murkowski	Sheehy
Lummis	Ricketts	Sullivan
McConnell	Risch	Thune
McCormick	Rosen	Tillis
Moody	Rounds	Tuberville
Moran	Schmitt	Wicker
Moreno	Scott (FL)	Young

## NAYS—43

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

## NOT VOTING—6

Boozman	Johnson	Paul
Gallego	Marshall	Peters

The PRESIDING OFFICER (Mr. BUDD). On this vote, the yeas are 51, the nays are 43.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Kelly Loeffler, of Georgia, to be Administrator of the Small Business Administration.

The PRESIDING OFFICER. The Senator from Alaska.

(The remarks of Ms. MURKOWSKI pertaining to the submission of S. 573 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

## EXECUTIVE ORDERS

Ms. MURKOWSKI. Mr. President, I want to shift gears for just a moment. Colleagues know that I am the chairman of the Senate Indian Affairs Committee. I have been on this committee since I came to the Senate, and it is a position that I hold very close. I represent a constituency of Alaskan Natives back in my home State.

We have over one-half the Tribes in the United States of America, and so my responsibility to them as their Federal representative is one, again, that I take very, very seriously.

There has been a fair amount of confusion, I think, uncertainty that has been brought about by many of the Executive orders, some of the Federal actions that we have seen, whether it is funding freezes or programs that are being put on pause. But one area that I want to make very, very clear to colleagues, as I have sought to make clear to those who are part of the incoming administration, that when we are speaking about our Indian Tribes and our Tribal programs, and the Federal funding that they receive, they do not fall into the category, if you will, of diversity, equity, inclusion.

And so when the Executive order was announced in the very first week of the Trump administration, there was con-

fusion as to whether or not Indian and Tribal programs were impacted, and in that confusion, I think, a lot of undue stress and anxiety.

And so I immediately asked the OMB—I met with Mr. Vought personally, and I asked him to take steps immediately to reaffirm the unique treatment, the programs and services to Indian Tribes based on their political and their legal status, which is recognized in our U.S. Constitution, in our treaties, under many Federal laws and policies, to ensure that there is no disruption to our Federal Tribal programs.

We know—our Supreme Court has affirmed our Indian Tribes are a unique political class—this is not a racial one—and their sovereignty and their trust relationship with the Federal Government must be upheld. And I shared this in a letter to the Acting Director of OMB.

We have seen, at least in a couple of the Departments already, that they clearly understand this distinct legal and political relationship. The Department of the Interior very quickly moved to add clarification.

On January 30, the Department of the Interior issued a Secretarial order that acknowledges that nothing in their order should be construed to affect the activities that implement the legal requirements, independent of the EOs, including the statutory authorities, treaty, and/or trust obligations of the Department to our Tribal nations and to our Native Hawaiian community. And so I appreciated that very clear message coming out of the Department of the Interior so early.

I think that it can be used as that model, that template, for other Federal Agencies because it is not just within Interior that we see Tribal programs, it is in other areas. We have just recently seen, out of the Department of Health and Human Services, that they recognize that as well. We are working, again, to make sure that any Tribal program has the clarity that they need and assurance that they and the beneficiaries will not be impacted.

We have a trust responsibility. We have an obligation that is clear. So avoiding any confusion, misunderstanding, or anxiety is something that I think we owe to our indigenous peoples across the country, and I am thankful that many within the new administration have stepped up to work with us to clear up any confusion that may be out there.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

## LEGISLATIVE SESSION

## MORNING BUSINESS

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate be in a period of morning business for debate only, with Senators permitted to speak therein for up to 10 minutes each.

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

## U.S. SENATE COMMITTEE ON THE BUDGET RULES OF PROCEDURE

Mr. GRAHAM. Mr. President, rule XXVI, paragraph 2, of the Standing Rules of the Senate requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the CONGRESSIONAL RECORD not later than March 1 of the first year of each Congress. Today, the Committee on the Budget adopted committee rules of procedure.

Consistent with Standing Rule XXVI, I ask unanimous consent to have a copy of the rules of procedure of the Committee on the Budget printed in the CONGRESSIONAL RECORD.

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

COMMITTEE ON THE BUDGET—RULES FOR THE  
119TH CONGRESS  
RULES OF PROCEDURE

## I. Meetings

(1) Meeting Schedule. The committee shall hold its regular meeting on the first Thursday of each month. Additional meetings may be called by the chair as the chair deems necessary to expedite committee business.

(2) Open to the Public. Each meeting of the committee, including meetings to conduct hearings, shall be open to the public, except that a portion or portions of any such meeting may be closed to the public if the committee determines by record vote in open session of a majority of the members of the committee present that the matters to be discussed or the testimony to be taken at such portion or portions—

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of the committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement;

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(i) an act of Congress requires the information to be kept confidential by Government officers and employees; or

(ii) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(3) Notice. Notice of, and the agenda for, any business meeting or markup shall be provided to each member and made available