

Paul	Shelby	Young
Rubio	Toomey	
Sasse	Warren	

NOT VOTING—6

Booker	Murkowski	Sinema
Klobuchar	Sanders	Whitehouse

The nomination was confirmed.

VOTE ON PRYOR NOMINATION

The PRESIDING OFFICER. The clerk will report the Pryor nomination.

The bill clerk read the nomination of Judith DelZoppo Pryor, of Ohio, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2021.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Pryor nomination?

Mr. CARDIN. 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 bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Alaska (Ms. MURKOWSKI).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Minnesota (Ms. KLOBUCHAR), and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 77, nays 19, as follows:

[Rollcall Vote No. 102 Ex.]

YEAS—77

Alexander	Fischer	Peters
Baldwin	Gardner	Portman
Bennet	Gillibrand	Reed
Blumenthal	Graham	Risch
Blunt	Harris	Roberts
Boozman	Hassan	Romney
Brown	Heinrich	Rosen
Burr	Hirono	Rounds
Cantwell	Hoeven	Schatz
Capito	Hyde-Smith	Schumer
Cardin	Isakson	Scott (FL)
Carper	Johnson	Scott (SC)
Casey	Jones	Shaheen
Cassidy	Kaine	Smith
Collins	King	Stabenow
Coons	Leahy	Tester
Cornyn	Manchin	Thune
Cortez Masto	Markey	Tillis
Cotton	McConnell	Udall
Cramer	McSally	Van Hollen
Crapo	Menendez	Warner
Duckworth	Merkley	Warren
Durbin	Moran	Whitehouse
Enzi	Murphy	Wicker
Ernst	Murray	Wyden
Feinstein	Perdue	

NAYS—19

Barrasso	Inhofe	Sasse
Blackburn	Kennedy	Shelby
Braun	Lankford	Sullivan
Cruz	Lee	Toomey
Daines	Paul	Young
Grassley	Rubio	
Hawley	Sanders	

NOT VOTING—4

Booker	Murkowski
Klobuchar	Sinema

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid

upon the table, and the President will be immediately notified of the Senate's action.

EXECUTIVE CALENDAR

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

The bill clerk read the nomination of Janet Dhillon, of Pennsylvania, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2022.

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 bill 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 Janet Dhillon, of Pennsylvania, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2022.

Mitch McConnell, Lamar Alexander, Tim Scott, Mike Crapo, Shelley Moore Capito, John Hoeven, Roger F. Wicker, Roy Blunt, David Perdue, John Thune, Pat Roberts, Johnny Isakson, John Cornyn, Thom Tillis, John Boozman, Mike Rounds, Richard Burr.

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 Janet Dhillon, of Pennsylvania, to be a member of the Equal Opportunity Commission for a term expiring July 1, 2022, 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. THUNE. The following Senator is necessarily absent: the Senator from Alaska (Ms. MURKOWSKI).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Minnesota (Ms. KLOBUCHAR), and the Senator from Arizona (Ms. SINEMA) are necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 44, as follows:

[Rollcall Vote No. 103 Ex.]

YEAS—52

Alexander	Daines	Lee
Barrasso	Enzi	McConnell
Blackburn	Ernst	McSally
Blunt	Fischer	Moran
Boozman	Gardner	Paul
Braun	Graham	Perdue
Burr	Grassley	Portman
Capito	Hawley	Risch
Cassidy	Hoeven	Roberts
Collins	Hyde-Smith	Romney
Cornyn	Inhofe	Rounds
Cotton	Isakson	Rubio
Cramer	Johnson	Sasse
Crapo	Kennedy	Scott (FL)
Cruz	Lankford	Scott (SC)

Shelby	Tillis	Young
Sullivan	Toomey	
Thune	Wicker	

NAYS—44

Baldwin	Hassan	Rosen
Bennet	Heinrich	Sanders
Blumenthal	Hirono	Schatz
Brown	Jones	Schumer
Cantwell	Kaine	Shaheen
Cardin	King	Smith
Carper	Leahy	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warren
Feinstein	Murray	Whitehouse
Gillibrand	Peters	Wyden
Harris	Reed	

NOT VOTING—4

Booker	Murkowski
Klobuchar	Sinema

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 44.

The motion is agreed to.

The majority whip.

NOMINATIONS

Mr. THUNE. Mr. President, we reached a milestone last week with the confirmation of President Trump's 100th Federal judge, and, frankly, it is a milestone that should have come earlier. Had this been another President, it almost undoubtedly would have come earlier. But, unfortunately, the response to this President has been characterized by what the leader aptly referred to yesterday as "unhinged partisanship."

Now, 2½ years on from President Trump's election, Democrats still can't get over the fact that they lost. Somehow, my colleagues missed the section in government class where you learn that is what happens sometimes in democracies. Sometimes you win. Sometimes—and I hate to break it to my colleagues—sometimes you lose. It is not fun. No one likes having their candidate lose, but that is what happens sometimes when you have free elections.

No one expects Democrats to just sign on to everything President Trump says or does. No one expects them to sign on to most of what President Trump says or does. I certainly understand that they have philosophical disagreements with many of his policies. I have been in their position. During my time in public office, there have certainly been Presidents with whom I disagreed a substantial part of the time. I like to think that I didn't reflexively oppose everything they said or did simply because they weren't my preferred candidate for the office. I am fairly certain President Trump couldn't eat a cheese sandwich without some Democrat crying treason.

Well, let's step back a minute. Maybe it is not that my Democratic colleagues are reflexively opposing everything this President does. Maybe it is not unhinged partisanship. Maybe it is just that they disagree with every single word he says, every single thing he does, and every single individual he nominates—except in the case of nominees, at least, we know that isn't true.

Let's go back to those judicial nominations. Democrats have engaged in a

truly unprecedented amount of obstruction on President Trump's judicial nominees. As of May 2, Democrats have forced cloture votes on almost 65 percent of President Trump's judicial nominees—65 percent. At the same point in President Obama's first term, Republicans had required cloture votes on just 2½ percent of his judicial nominees—65 percent to 2½ percent. But, again, maybe that is because Democrats have serious philosophical objections to these nominees—except they don't, because again and again, Democrats have turned around and voted for the Trump judicial nominees they obstructed.

One egregious example occurred in January of 2018 when Democrats forced the Senate to spend more than a week considering four district court judges even though not one single Democrat voted against their confirmation. That is right. Democrats forced the Senate to spend more than a week considering the nomination of four judges even though not one single Democrat opposed their confirmation. These judges could have been confirmed in a matter of minutes by voice vote, but Democrats forced the Senate to spend more than a week on their consideration—time that could have been spent on genuinely controversial nominees or on some of the many important issues facing our country.

As of April 2 of this year, Democrats have forced cloture votes on 20 of the district court judges the Senate has confirmed. Ultimately, however, 19 of those 20 judges were confirmed by more than 68 votes. Now, 17 of those 20 were confirmed by more than 80 votes, and 12 of those 20 were confirmed without a single vote in opposition. Yet Democrats obstructed all of them.

One hundred judicial nominees confirmed is a solid milestone, but, as I said before, it is a milestone that should have come earlier and would have come earlier if Democrats hadn't chosen to engage in a massive campaign of partisan obstruction. Despite a lot of hard work by the Judiciary Committee and a robust pace of nominations from the President, the number of judicial vacancies is actually 25 percent higher today than it was when the President took office, and a near record number of those vacancies are designated as judicial emergencies. That shouldn't be the case, but thanks to Democrats' knee-jerk obstruction, that is where we are.

Regardless of how much the Democrats obstruct, though, Republicans will keep moving forward. Despite Democrats' best efforts, we confirmed a record number of circuit court judges during the President's first 2 years, and we are going to keep working our way through the President's nominees, judicial and otherwise. We are committed to filling vacancies in both the executive branch and the judiciary so that the American people have the fully functioning government they deserve.

Perhaps someday Democrats will decide to drop the obstruction and to join

us in the business of actually getting things done for the American people.

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.

The PRESIDING OFFICER. The Senator from Illinois.

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

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

NOMINATION OF JANET DHILLON

Mr. DURBIN. Mr. President, the Equal Employment Opportunity Commission is charged with protecting workers and job applicants against discrimination based on race, color, religion, sex, national origin, age, disability, or genetic information.

Janet Dhillon, the latest nominee to be a member of that board, has spent her career, unfortunately, doing the opposite. She has spent years advocating for corporations over workers and has a track record that puts her in direct opposition to the mission of the Equal Employment Opportunity Commission. For example, under Ms. Dhillon's leadership, the Retail Litigation Center filed briefs in support of policies making it more difficult for employers to be held liable for harassment.

I am also concerned that Ms. Dhillon has declined to answer whether she would uphold the EEOC's current position that the Civil Rights Act forbids employment discrimination on the basis of gender identity or sexual orientation. The EEOC is considering issues that are critical to protecting workers, including ongoing court cases to protect LGBTQ workers from discrimination and improve pay data collection for women in the workforce. Women, on average, make 80 cents per every dollar earned by a man. The gap is even higher for women of color. We need Commissioners at the EEOC who will fight to close this gap.

No matter your age, race, occupation, religion, or sexuality, you should be treated with dignity, and for too long, with too many people, this has not been the case. Ms. Dhillon has not demonstrated that she will be a champion for these workers.

In the past, we have always tried to move EEOC nominations in a bipartisan way, with Democratic and Republican nominees confirmed at the same time, but for months, for reasons I cannot explain, my Republican colleagues have refused to hold a vote on a Democratic nominee to this Commission. This obstruction has forced the EEOC to operate without a quorum, preventing it from conducting crucial business, such as issuing new policies, guidance, and regulations.

This is another example of Republicans changing Senate norms and traditions when it comes to their quest for nominations. We are also seeing that

this week with votes on two Second Circuit nominees from New York who are being pushed through over objections by both home State Senators. Before this year, we had never, never seen a judicial nominee receive a vote without a positive blue slip from either home State Senator.

"Blue slip" is just a formal term; it is actually an approval by the Senator of a nomination.

By the end of this week, it will have happened four times—in the State of Washington, New Jersey, and now New York. This is a terrible precedent that could end up affecting each of our States.

Republicans appear determined to ignore traditions and common sense in their effort to confirm the highest possible volume of President Trump's extreme nominees. I continue to call on my colleagues to change course. I think it is a mistake.

I oppose Janet Dhillon's nomination as Chairman of the Equal Employment Opportunity Commission.

CUSTOMS AND BORDER PROTECTION

Mr. President, last month, on Friday, April 12, I visited the port of entry in El Paso, TX, that is known as Paso Del Norte and a nearby Border Patrol station known as Station No. 1. What I saw was heartbreaking.

The migrants who presented themselves at our border are being detained in cramped cells known as *hieleras*, Spanish for the word "iceboxes." These are metal-sided detention rooms, which the detainees complain are kept painfully cold. The sign above one of these detention room doors reads "Capacity: 35." I took a few minutes and counted the number of men in that cell. Capacity may have been 35, but there were over 150 men standing in that cell and maybe one toilet. The large, heavy glass window on the cell gave a clear view of the detainees. But for a few benches along the walls, which accommodate a very small number, there is literally no room to sit or lie down. Meals are provided to the standing migrants to eat in the cell. Many will wait for up to 3 weeks in this so-called icebox to be transferred to an ICE facility.

Next to it was a woman's cell that has a sign reading "Capacity: 16." I paused and counted about 75 women in a cell designed for 16, including nursing mothers with their babies. As our eyes would lock, some of the women would mouth the word "help."

Just outside this building, hundreds of men and women and children who were brought in from the border hours before stood in long lines. These migrants are at the end of a long and dangerous journey, and this preliminary process led them to a table where four officials were writing down information. The approach was clearly designed to be slow, and it was clearly understaffed.

I stood in line with a translator speaking to those who were waiting. One was a young mother holding a 1-