

measures? But that is pretty much par for the course for Democrats these days. They are intent on remaking America according to their ever more extreme leftist agenda. They are certainly not going to let a national crisis get in the way. In fact, more than one leader of the Democratic Party has spoken with pleasure of the opportunity the pandemic presents to remake America in their far-left image.

It is deeply disappointing that Democrats are more focused on their pet projects than on addressing this pandemic and its consequences, but that will not stop the Republican-led Senate from moving forward with the business of the American people, and I hope that Democrats will eventually decide to join us.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). All time has expired.

The question is, Will the Senate advise and consent to the Rash nomination?

Mr. THUNE. 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 Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER) and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from Massachusetts (Mr. MARKLEY), the Senator from Vermont (Mr. SANDERS), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

The result was announced—yeas 74, nays 20, as follows:

[Rollcall Vote No. 94 Ex.]

#### YEAS—74

Baldwin	Feinstein	Paul
Barrasso	Fischer	Perdue
Bennet	Gardner	Peters
Blackburn	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hassan	Roberts
Braun	Hawley	Romney
Burr	Hoeven	Rosen
Capito	Hyde-Smith	Rubio
Cardin	Inhofe	Sasse
Carper	Johnson	Scott (FL)
Cassidy	Jones	Scott (SC)
Collins	Kaine	Shaheen
Coons	Kennedy	Shelby
Cornyn	King	Sinema
Cortez Masto	Lankford	Smith
Cotton	Leahy	Sullivan
Cramer	Lee	Tester
Crapo	Loeffler	Thune
Cruz	Manchin	Tillis
Daines	McConnell	Toomey
Duckworth	McSally	Warner
Durbin	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Murphy	

NAYS—20		
Blumenthal	Hirono	Schumer
Booker	Klobuchar	Stabenow
Cantwell	Menendez	Udall
Casey	Merkley	Van Hollen
Gillibrand	Murray	Warren
Harris	Reed	Wyden
Heinrich	Schatz	

#### NOT VOTING—6

Alexander	Markey	Sanders
Brown	Rounds	Whitehouse

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 President's action.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:39 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

#### EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Minnesota.

#### NOMINATION OF JAMES E. TRAINOR III

Ms. KLOBUCHAR. Madam President, we are here to vote on a nominee, James Trainor, to be a Commissioner at the Federal Election Commission—the independent agency responsible for enforcing Federal campaign finance laws.

I am deeply disappointed in today's vote, which is a departure from the Senate's longstanding tradition of considering FEC nominees on a bipartisan basis and another step in eroding the traditions of the Senate—all for a candidate who holds extreme views toward the agency to which he would be appointed.

Prior to today, the Senate has voted to confirm 47 FEC nominees, and 42 of those nominees have been confirmed through a bipartisan process. As the ranking Democrat on the Rules and Administration Committee, I have repeatedly urged my Republican colleagues to work with us to get the FEC running again, as it is unacceptable that the agency charged with protecting the integrity of our campaign finance system has been without a quorum for 261 days—the longest period without a quorum in the agency's history—but this is not the way to do it.

The FEC has been plagued by partisan gridlock for years. With a general election only 168 days away, we should be working together to make sure that the agency is working to the fullest extent possible. Americans are tired of hyperpartisanship and gridlock. This is not the time to abandon the bipartisan tradition of moving FEC nominees together. We need to work to restore their trust in our political institutions, and with this vote, we are taking a

step backward. We all know that our campaign finance system is broken. Everyone in this room knows it. Spending on campaigns has gotten out of control, and special interest groups are a major part of the problem.

Experts suggest that at least \$6 billion will be spent in the 2020 election cycle on political advertisements alone. That doesn't count the billions that will be spent by the campaigns themselves and the additional billions spent by dark money groups and special interests which are trying to influence this election. In order for our democracy to work, we need strong rules for campaign spending, and we need a strong agency to enforce those rules. We should be working together, on a bipartisan basis, to propose solutions to try to get the FEC back on track.

I have a few ideas. We should work together to pass legislation to reform the FEC's rules so it functions better. We should establish a working group that will investigate bipartisan solutions to improve the function of the FEC. We should also work together to elect strong nominees from both parties who will serve on the Commission with the understanding that they are there to enforce the law and protect our election system—and, oh, does this election system need protecting right now.

We are in the midst of a pandemic. We have people standing in garbage bags and homemade masks in the rain in Wisconsin just trying to exercise their right to vote. Nearly 50 of those people got sick. We have a poll worker who got sick. We have States all over the country, with both Democratic and Republican Governors, that are desperately trying to get funding so we can have more at-home voting and have the polls open earlier and have them open for days so people don't have to all congregate on 1 day, and on that day we have to also make our elections safer. We have a lot to do.

When it comes to elections, we know that the enforcement agency for things like campaign finance is the FEC. We know it is broken, and we as a body should work to improve it.

My Republican colleagues, on this particular nominee, have repeatedly said that by confirming Mr. Trainor they are doing some good restoring a quorum. OK. That is not the full story of this nomination. It ignores the fact that gridlock will persist, and Republicans have intentionally left a Democratic seat on the Commission vacant for more than 1,100 days.

It ignores the fact that Leader SCHUMER and I referred a Democratic candidate to the White House for consideration and that she has been vetted and cleared. She is immensely qualified, and she would be the first person of color to ever sit on the FEC. Yes, that is right, the first person of color not only in this Congress but the first person of color in the history of the Federal Elections Commission to serve on the Commission.

Since Republicans refuse to move forward in a bipartisan manner, the agency charged with enforcing our campaign finance laws will continue to remain ineffective. This undermines our country's political institutions, and it does not serve our country's best interests.

Many people refer to the Senate as the world's greatest deliberative body because the Senate, as an institution, is designed for the careful consideration and debate of legislation and nominations. When we erode the bipartisan norms that make us the greatest deliberative body, we end up allowing unqualified nominees who hold extreme views to be appointed to important positions in our government just at a time when we should be doing the opposite.

In addition to these process concerns, today we are also being asked to move forward with a nominee to the FEC who doesn't believe in basic campaign finance law. The FEC was created to enforce campaign finance law, so it is critical that the agency be staffed by Commissioners who believe in its mission so it can police people from both parties.

Mr. Trainor has consistently worked to dismantle the rules that keep corruption out of our political system. He has spent his career arguing that people should not have to disclose political spending and has worked to stack the deck against voters by gerrymandering districts in Texas to dilute minority voting power.

Trainor's views on disclosure are inconsistent with decades of Supreme Court precedent, including the views of late Justice Scalia. When fellow Republicans in the Texas Legislature worked to require politically active nonprofit organizations to disclose their donors, Trainor challenged them and said that such a law "would have a chilling effect on anybody's ability to speak."

Let's just step back. Those were fellow Republicans on the Texas Legislature simply trying to put some reforms in place so we knew where those donations were coming from, and he spoke out against that.

Moving forward with this nomination today may restore a quorum, but it does not serve the American people. The American people deserve an FEC that works, an agency that enforces the law and protects our political system from corruption. At a time when unprecedented amounts of dark money and foreign money are flowing into our elections and influencing our courts, a fully functioning FEC is critical to safeguarding our political system.

When it comes to the agency in charge of enforcing our campaign finance laws, the absolute minimum qualification should be that the person actually believes in the mission of the agency. Is that too much to ask?

We need to focus on how we can help the American people safely vote during this pandemic. I mean, we need to

focus on this pandemic, instead of the series of votes that we have seen this week, but if we are going to decide who should serve on the FEC during this pandemic, it should be someone who believes in the mission of the FEC.

We need to work together to hold hearings with bipartisan groups of election officials, like we have been working to do on the State level when it comes to how to vote in this pandemic. There has been a lot of good work going on with Republicans and Democrats, Governors and Secretaries of State. We need to do the same thing in this Chamber as we approach major legislation and as we approach our working with the FEC.

I oppose the process by which this nominee has come to the floor, and I believe the nominee's extreme views are disqualifying for this important office. I strongly urge my colleagues to vote no on this nominee.

I yield the floor.

#### 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 James E. Trainor III, of Texas, to be a Member of the Federal Election Commission for a term expiring April 30, 2023.

Mitch McConnell, Chuck Grassley, Joni Ernst, John Barrasso, Deb Fischer, John Cornyn, Roger F. Wicker, Roy Blunt, John Thune, Rob Portman, Shelley Moore Capito, Steve Daines, Lindsey Graham, Pat Roberts, Cindy Hyde-Smith, Richard Burr, Mike Crapo.

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 James E. Trainor III, of Texas, to be a Member of the Federal Election Commission for a term expiring April 30, 2023, shall be brought to a close?

The yeas and nays are mandatory under the rules.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from North Carolina (Mr. BURR), and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from Massachusetts (Mr. MARKEY), the Senator from Vermont (Mr. SANDERS), and the Senator from Rhode Island (Mr. WHITEHOUSE), are necessarily absent.

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

The yeas and nays resulted—yeas 50, nays 43, as follows:

[Rollcall Vote No. 95 Ex.]

#### YEAS—50

Barrasso	Gardner	Perdue
Blackburn	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hawley	Roberts
Braun	Hoover	Romney
Capito	Hyde-Smith	Rubio
Cassidy	Inhofe	Sasse
Collins	Johnson	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Shelby
Cramer	Lee	Sullivan
Crapo	Loeffler	Thune
Cruz	McConnell	Tillis
Daines	McSally	Toomey
Enzi	Moran	Wicker
Ernst	Murkowski	Young
Fischer	Paul	

#### NAYS—43

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

#### NOT VOTING—7

Alexander	Markey	Whitehouse
Brown	Rounds	
Burr	Sanders	

The PRESIDING OFFICER. On this vote the yeas are 50, the nays are 43.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of James E. Trainor III, of Texas, to be a Member of the Federal Election Commission for a term expiring April 30, 2023.

The PRESIDING OFFICER. The Senator from Wyoming.

#### CORONAVIRUS

Mr. BARRASSO. Madam President, Americans have come together in this moment. We have come together to defeat the coronavirus. We have come together to ramp up testing, to ramp up healthcare, and to reopen our communities and our country.

The coronavirus has brought out the best in so many ways in America and in the American people. From our frontline healthcare workers taking care of patients to scientists and researchers working on testing, on treatment, and on vaccines, to those in public service keeping essential parts of the government running day in and day out, to those working on supply chains to deliver goods 24 hours a day, and to those who are staying at home to keep themselves and keep others safe, Americans are in this together.

It is interesting because all we are seeing from the other side of the political aisle is more of the same old politics and name-calling. President