

The appropriators from both sides of the aisle continue to have good discussions, and I hope on the funding of the government that the final agreement can be announced soon.

Now, the other two priorities, unfortunately, are a bit murkier. Yesterday, President Trump issued over Twitter a renewed threat on the annual Defense bill. Previously, the President threatened to veto this important legislation over a provision to rename military installations named after Confederate traitors.

Now President Trump has issued a veto threat by tweet over a policy concerning social media companies, section 230, which is in neither version of the NDAA already passed by both Houses of Congress.

President Trump must have realized that vetoing a pay raise for our troops in order to defend the honor of Confederate traitors wasn't the best message to send, so he has found a new complaint. After 4 years of ignoring the President's most vitriolic, conspiracy-fueled, and absurd comments on social media, I wonder if our Republican colleagues would say that they didn't see this particular tweet.

The truth is, section 230 may actually need some reform, but that is a serious undertaking that should be done in a regular order and can be left for another day, and it is certainly not an acceptable reason to veto the annual Defense bill, which includes policies to keep our military prepared, well-resourced, and equipped to do a difficult and vital job.

Nevertheless, it is silly season at the White House. The President seems intent on filling each of his remaining days in office with petulance, grievance, and self-interest.

The President is reportedly asking his staff about whether he can issue preemptive pardons for himself, his family members, and Rudy Giuliani. There is a simple answer: No. No, Mr. President, that would be a gross abuse of the Presidential pardon authority. But I have a more important question: Just how long are our Republican colleagues going to indulge the President in this nonsense?

Many of our Republican colleagues gave the President space to contest the validity of our elections, poisoning Americans' faith in our democracy. Now he is threatening to veto a pay raise for our troops and considering preemptively pardoning the entire Trump family. When are our Republican colleagues in the Senate going to say "Enough already"?

At the very least, with respect to the Defense bill, Senate Republicans ought to find the courage to ignore the President's eleventh hour ramblings and pass the NDAA.

CORONAVIRUS RELIEF

Madam President, now, regarding another COVID bill, we seem to be caught in a familiar pattern. We all know that successfully passing legislation through Congress means that a bill

must get through the Democratic House and get Democratic votes in the Senate.

Passing the law takes a measure of bipartisanship and compromise. That is why Speaker PELOSI and I sent the Republican leader a new offer on the COVID bill. It was an effort to jumpstart serious negotiations, but, yesterday, Leader MCCONNELL announced that rather than respond to our offer or the bipartisan offer of the so-called Gang of 8, he will pursue another partisan proposal before the end of the year. He said he was going to talk to the Republican leader in the House, the Republican President, and that is it—not a word with Democrats.

From early reports in the press, the latest Republican offer will be even more insufficient than the previous two attempts—so insufficient, that according to one press report, a Republican Senator said it was "offensive"—his word—to struggling Americans for the Republican majority to focus on another messaging bill.

Apparently, the latest Republican proposal will not include another dime of unemployment assistance because, according to the Republican whip, it was likely something the President wouldn't sign.

Let's be clear. The latest Republican offer on COVID will include immunity for corporations that put their workers at risk of COVID-19 but not a dime for workers who lost their jobs because of the pandemic.

The Republican leader should not waste the Senate's time on another inadequate, partisan proposal and, instead, sit down with Democrats to begin a true bipartisan effort to quickly meet the needs of the country.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

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

Mr. BARRASSO. 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 Georgia (Mrs. LOEFFLER) and the Senator from Arizona (Ms. MCSALLY).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

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

The result was announced—yeas 56, nays 39, as follows:

[Rollcall Vote No. 245 Ex.]

YEAS—56

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

NAYS—39

| | | |
|--------------|------------|------------|
| Baldwin | Feinstein | Peters |
| Bennet | Gillibrand | Reed |
| Blumenthal | Heinrich | Rosen |
| Booker | Hirono | Schumer |
| Brown | Kaine | Shaheen |
| Cantwell | Klobuchar | Smith |
| Cardin | Leahy | Stabenow |
| Carper | Manchin | Tester |
| Casey | Markey | Udall |
| Coons | Menendez | Van Hollen |
| Cortez Masto | Merkley | Warren |
| Duckworth | Murphy | Whitehouse |
| Durbin | Murray | Wyden |

NOT VOTING—5

| | | |
|----------|---------|--------|
| Harris | McSally | Schatz |
| Loeffler | Sanders | |

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.

The Senator from Ohio.

Mr. PORTMAN. Madam President, I ask unanimous consent that the mandatory quorum be waived.

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 Kathryn C. Davis, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Mitch McConnell, Roy Blunt, Mike Rounds, Todd Young, Pat Roberts, Cindy Hyde-Smith, John Thune, Kevin Cramer, Thom Tillis, Michael B. Enzi, James Lankford, John Barrasso, Joni Ernst, Lamar Alexander, Rob Portman, Tim Scott, Steve Daines.

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 Kathryn C. Davis, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years, 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. THUNE. The following Senators are necessarily absent: the Senator from Georgia (Mrs. LOEFFLER) and the Senator from Arizona (Ms. MCSALLY).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

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

The yeas and nays resulted—yeas 51, nays 44, as follows:

[Rollcall Vote No. 246 Ex.]

YEAS—51

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

NAYS—44

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

NOT VOTING—5

| | | |
|----------|---------|--------|
| Harris | McSally | Schatz |
| Loeffler | Sanders | |

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 44.

The motion is agreed to.

EXECUTIVE CALENDAR

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Kathryn C. Davis, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

The PRESIDING OFFICER. The assistant minority leader.

UNANIMOUS CONSENT AGREEMENT

Mr. THUNE. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, at 2 p.m., the Chair lay before the Senate a certificate of election from the State of Arizona.

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

CLOTURE MOTION

Mr. THUNE. Mr. President, I ask unanimous consent that the mandatory call be waived.

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

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 Christopher Waller, of Minnesota, to be a Member of the Board of Governors of the Federal Reserve System for a term of fourteen years from February 1, 2016.

Mitch McConnell, John Thune, Marsha Blackburn, Joni Ernst, Pat Roberts, John Cornyn, Lindsey Graham, Deb Fischer, Tim Scott, Lamar Alexander, Kevin Cramer, Mike Braun, John Hoeven, Mike Crapo, Michael B. Enzi, John Boozman, Thom Tillis.

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 Christopher Waller, of Minnesota, to be a Member of the Board of Governors of the Federal Reserve System for a term of fourteen years from February 1, 2016, 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 Senators are necessarily absent: the Senator from Georgia (Mrs. LOEFFLER) and the Senator from Arizona (Ms. MCSALLY).

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

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

The yeas and nays resulted—yeas 50, nays 45, as follows:

[Rollcall Vote No. 247 Ex.]

YEAS—50

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

NAYS—45

| | | |
|------------|--------------|------------|
| Baldwin | Carper | Gillibrand |
| Bennet | Casey | Hassan |
| Blumenthal | Coons | Heinrich |
| Booker | Cortez Masto | Hirono |
| Brown | Duckworth | Jones |
| Cantwell | Durbin | Kaine |
| Cardin | Feinstein | King |

| | | |
|-----------|---------|------------|
| Klobuchar | Paul | Stabenow |
| Leahy | Peters | Tester |
| Manchin | Reed | Udall |
| Markey | Rosen | Van Hollen |
| Menendez | Schumer | Warner |
| Merkley | Shaheen | Warren |
| Murphy | Sinema | Whitehouse |
| Murray | Smith | Wyden |

NOT VOTING—5

| | | |
|----------|---------|--------|
| Harris | McSally | Schatz |
| Loeffler | Sanders | |

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 45.

The motion is agreed to.

The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The VICE PRESIDENT. Without objection, it is so ordered.

CERTIFICATE OF ELECTION

The VICE PRESIDENT. The Chair lays before the Senate a certificate of election to fill the unexpired term created by the death of the late Senator John McCain of Arizona. The certificate, the Chair is advised, is in the form suggested by the Senate. If there is no objection, the reading of the certificate will be waived and will be printed in full in the RECORD.

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

STATE OF ARIZONA

CERTIFICATE OF ELECTION FOR UNEXPIRED TERM

To the President of the Senate of the United States:

This is to certify that on the 3rd day of November 2020, Mark Kelly was duly chosen by the qualified electors of the State of Arizona a Senator for the unexpired term ending at noon on the 3rd day of January, 2023, to fill the vacancy in the representation from said State in the Senate of the United States caused by the death of John McCain.

Witness: His excellency our Governor of Arizona, and our seal hereto affixed at the Capitol in Phoenix, this 30th day of November, in the year of our Lord 2020.

By the Governor:

DOUGLAS A. DUCEY,
Governor.
KATIE HOBBS,
Secretary of State.

[State Seal Affixed.]

ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senator-elect will now present himself to the desk, the Chair will administer the oath of office.

The Senator-elect, Mark Kelly, escorted by Ms. SINEMA, advanced to the desk of the Vice President; the oath prescribed by law was administered to him by the Vice President; and he subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senator.