

For the Border Patrol, I am working on bipartisan legislation to increase the number of agents, address retention challenges of the existing workforce—they are losing people—and let them respond faster to humanitarian crises, including having a Border Patrol reserve they can call on where people are qualified and ready to help.

The ongoing crisis at our southern border is clear, and it is persistent. It is not seasonal anymore, if you look at these numbers.

Again, we welcome legal immigrants. We always should. They enrich our country. But we are both a nation of laws and immigrants.

I urge the Biden administration to change course, to fix this broken system, to fix and reform this asylum process that acts as a pool factor to America, to stop these policies that send a green light to the human smugglers and the drug traffickers that leads to so much human suffering and a border that is not secure.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

#### NOMINATION OF JANUARY CONTRERAS

Mr. WYDEN. Mr. President, the Senate will soon vote on an important nomination to the Department of Health and Human Services. January Contreras is President Biden's choice to serve as Assistant Secretary for children and families.

The Senate Finance Committee is taking a special interest in kids, families, and fresh approaches to strengthen opportunities for them and for America's future.

Now, people have been a little bit surprised that the Finance Committee is taking this big interest because, normally, they think that the Finance Committee deals primarily with big money issues. Taxes and trade would be two examples.

Those are certainly very, very important, and we spend plenty of time working on those. But the committee also feels very strongly that we can't afford to write off the hopes and dreams of our future, which are our kids and our families. We can't afford, as a country, to lose these young minds and these young families, to take away the kinds of opportunities they could have with just a few well-targeted, sensible investments in their future. And when January Contreras is confirmed, that is exactly the kind of work that she is going to be doing: caring for some of the most vulnerable young people in our Nation, those young people who are in the child welfare system.

One of the big challenges in the last few years of the Administration for Children and Families has been the implementation of our bipartisan Family First Prevention Services Act. This was an extraordinarily important law, particularly for kids who are in foster care.

We had, until this law came along, essentially two choices for these kids.

We could send them off to a foster home. Some of them might be good; some of them we know aren't so good. Or we could leave them in a family situation at home that wasn't too desirable. You might have a parent who had been caught up in drugs or alcohol or something else.

What the Finance Committee did in enacting the Family First Prevention Services Act is it said: We have got these two choices over here, neither of them are ideal. What we will do is create a third path, which is the Family First Prevention Services Act.

So, for example, for a family in Arizona—the Presiding Officer's home State—that family would be in a position to stay together but also to receive some of the services—the anti-drug services, the efforts to get people off alcohol and addiction—and keep the family together. Very often, a grandparent would help out.

Family First is, in my view, the future of much of our domestic policy in this country because it means we aren't going to write off our kids and families caught up in the child welfare system.

The bill was bipartisan. Chairman Hatch was then the chairman. I was the ranking member. I think this bill is a once-in-a-generation overhaul of how child welfare works in America.

As I described to the Presiding Officer, before Family First, families, in effect in Arizona and elsewhere, were broken apart by default. In other words, you had the two choices, neither of them very good. Family First—put together on a bipartisan basis in the Finance Committee—recognized that young people grow up better at home, and families have an incredible capacity to deal with the proper support. So we signed Family First to help families stay together whenever it is safe and possible.

As I mentioned, maybe the parent needs a little help with substance abuse or mental health treatment; getting clean will make the home safe and the community often safer.

And, as I have mentioned, I was particularly thrilled that we could look to grandparents once again to step in as a caretaker for their grandkids, because when I was a young member of the other body, I wrote the Kinship Care bill, which was something that really came out of America's churches, where grandparents could step in and provide a compassionate role model and caretaker for the grandkids. The new approach builds that smart flexibility into the system so the kids and families could get the support they need.

In my view, it is especially important right now to help address mental health. The Finance Committee had a hearing today on that. Senator CRAPO and I have vowed to have a bipartisan bill on that. And it is particularly important to have Family First right now because it allows us to address mental health and substance abuse and strengthen families at the same time. This is what families are all about.

Now, implementing the law takes a lot of close collaboration between the Federal Government and the States. It has not been easy. The previous administration made it pretty challenging. But because this is a bipartisan priority for the Finance Committee, we just pushed ahead. And I am especially looking forward to working with Ms. Contreras on that task.

Ms. Contreras and I have some work experience that might be of interest to the Presiding Officer. Ms. Contreras led the Arizona Legal Women and Youth Services, a legal aid organization for children and young adults who have experienced abuse, neglect, family separation, homelessness, and human trafficking.

Before my time in the Congress, I ran the Oregon legal services for the elderly program, a legal aid program specially for seniors. And then the rest of the time I was codirector of the Oregon Gray Panthers helping, again, families and seniors and others. Back then, seniors were constantly getting clobbered by insurance scams and bill collectors, and somebody needed to be there for them. So Ms. Contreras is very, very qualified for this job—qualified to steer Family First into a period of exceptional progress because States are really hungry for this option, the option that makes a big difference because it ensures that we are not writing off our families; we are not giving up on them.

That is something that I think is particularly important to hear from our Finance Committee members because everybody thinks that the committee just focuses on all these things with Big Money, but we are especially interested in seeing nominees like Ms. Contreras come forward.

I think she will do a terrific job as the head of the Administration for Children and Families. She is going to do a terrific job of moving Family First ahead. She had bipartisan support in the Senate Finance Committee.

I urge all Members of the Senate to vote for January Contreras when she comes up later this evening.

I yield the floor.

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

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

#### VOTE ON CONTRERAS NOMINATION

Mr. JOHNSON. Mr. President, I know of no further debate on the nomination.

The PRESIDING OFFICER. If there is no further debate, the question is, Will the Senate advise and consent to the Contreras nomination?

Mr. JOHNSON. 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. DURBIN. I announce that the Senator from Maryland (Mr. VAN HOLLEN) is necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Pennsylvania (Mr. TOOMEY).

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 119 Ex.]

#### YEAS—54

Baldwin	Graham	Ossoff
Bennet	Hassan	Padilla
Blumenthal	Heinrich	Peters
Blunt	Hickenlooper	Reed
Booker	Hirono	Rosen
Brown	Kaine	Sanders
Burr	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Sinema
Casey	Lujan	Smith
Collins	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Warner
Duckworth	Merkley	Warnock
Durbin	Murkowski	Warren
Feinstein	Murphy	Whitehouse
Gillibrand	Murray	Wyden

#### NAYS—44

Barrasso	Hagerty	Risch
Blackburn	Hawley	Romney
Boozman	Hoeven	Rounds
Braun	Hyde-Smith	Rubio
Capito	Inhofe	Sasse
Cassidy	Johnson	Scott (FL)
Cornyn	Kennedy	Scott (SC)
Cotton	Lankford	Shelby
Cramer	Lee	Sullivan
Crapo	Lummis	Thune
Cruz	Marshall	Tillis
Daines	McConnell	Tuberville
Ernst	Moran	Wicker
Fischer	Paul	Young
Grassley	Portman	

#### NOT VOTING—2

Toomey  
Van Hollen

The nomination was confirmed.

The ACTING PRESIDENT pro tempore. 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 actions.

#### NOMINATION OF DAVID WEIL

Mrs. MURRAY. Mr. President, right now, we are in the midst of a strong economic recovery and record job growth.

But despite the progress we have made, the fact remains that during this pandemic, corporations and rich CEOs made huge profits, while workers still struggle to make ends meet and put food on the table.

If we want to build back an economy that works for everyone, not just those at the very top, then we need be taking action to lower costs, like Democrats have been pushing for, and we need leaders at the Department of Labor who are committed to ensuring workers get every cent of the paychecks they earn and holding corporations accountable when they try to take advantage of workers and commit wage theft.

Dr. David Weil has a long history as a champion for workers, and I come to the floor today to make clear: He is the exact right person to lead the Wage and Hour Division of the DOL.

Dr. Weil is an exceptional choice for this role with just the right experience for the job; in fact, he has already served in this position under the Obama administration. During his past tenure, he proved himself a capable leader, with a steadfast commitment to a simple goal: ensuring workers across the country are paid the wages they earn.

It was under his leadership that the Wage and Hour Division boosted its efforts to enforce the critical set of laws that protect workers against employers undercutting the minimum wage, failing to pay overtime, forcing workers to work "off the clock," and so much more.

These are protections that workers depend on, especially workers who earn low wages, women, and people of color who most often face wage theft.

So we have got to make sure corporations are following them—and that is exactly what David Weil did. He cracked down on corporations who violated the law and denied workers the pay they were owed, and at one point, the division even uncovered an investigation into garment factories that secured \$1.3 million in back pay for cheated workers.

While leading the Agency, he also worked to expand overtime pay for 12 million more workers, close loopholes to help stop employers from misclassifying workers in order to pay them less, and crack down on Federal contractors who weren't following the law and paying fair wages. It has been frustrating to see the previous administration undermine these efforts and reverse this progress, but confirming David Weil to return to the Wage and Hour Division is an important step to put workers first and get us back on the right track. A vote for Dr. Weil is a vote to put wages back in workers' pockets and a vote to hold corporations accountable for wage theft.

So I urge all my colleagues to join me today in sending Dr. Weil back to the DOL.

#### CLOTURE MOTION

The ACTING PRESIDENT pro tempore. 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. 667, David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor.

Charles E. Schumer, Brian Schatz, Jack Reed, Angus S. King, Jr., Elizabeth Warren, Chris Van Hollen, Raphael G. Warnock, Jacky Rosen, Tim Kaine, Patty Murray, Margaret Wood Hassan, Tammy Duckworth, Alex Padilla, Tammy Baldwin, Mazie Hirono, Christopher A. Coons.

The ACTING PRESIDENT pro tempore. 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 David Weil, of Massachusetts, to be Administrator of the Wage and Hour Division, Department of Labor, 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 47, nays 53, as follows:

[Rollcall Vote No. 120 Ex.]

#### YEAS—47

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Smith
Carper	Lujan	Stabenow
Casey	Markey	Tester
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Murphy	Warnock
Durbin	Murray	Warren
Feinstein	Ossoff	Whitehouse
Gillibrand	Padilla	Wyden
Hassan	Peters	

#### NAYS—53

Barrasso	Grassley	Portman
Blackburn	Hagerty	Risch
Blunt	Hawley	Romney
Boozman	Hoeven	Rounds
Braun	Hyde-Smith	Rubio
Burr	Inhofe	Sasse
Capito	Johnson	Scott (FL)
Cassidy	Kelly	Scott (SC)
Collins	Kennedy	Shelby
Cornyn	Lankford	Sinema
Cotton	Lee	Sullivan
Cramer	Lummis	Thune
Crapo	Manchin	Tillis
Cruz	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Moran	Wicker
Fischer	Murkowski	Young
Graham	Paul	

The PRESIDING OFFICER (Mr. OSSOFF). On this vote, the yeas are 47, the nays are 53.

The motion is rejected.

The majority leader.

#### ORDER OF PROCEDURE

Mr. SCHUMER. Mr. President, I ask unanimous consent the Senate now vote on the motions to invoke cloture on Executive Calendar Nos. 718, 717, and 716; that the remaining votes tonight be 10-minute votes; that if cloture is invoked on any of these nominations, all post-cloture time be considered expired and the Senate vote on confirmation of the nominations at a time to be determined by the majority leader or his designee following consultation with the Republican leader.

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

Mr. SCHUMER. Members, we have three more votes coming up. If we stay in our seats and stay close, we can get them done quickly. So, please, hang around.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the