

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 371, H.R. 350, a bill to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism.

CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 motion to proceed to Calendar No. 371, H.R. 350, a bill to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism.

Charles E. Schumer, Tim Kaine, Tammy Duckworth, Richard Blumenthal, Ben Ray Lujan, Richard J. Durbin, Elizabeth Warren, Christopher Murphy, Cory A. Booker, Jeanne Shaheen, Robert P. Casey, Jr., Jack Reed, Benjamin L. Cardin, Gary C. Peters, Tina Smith, Brian Schatz, Debbie Stabenow.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 923.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Jane Hartley, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Kingdom of Great Britain and Northern Ireland.

CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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. 923, Jane Hartley, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United

Kingdom of Great Britain and Northern Ireland.

Charles E. Schumer, Martin Heinrich, Tammy Baldwin, Mark Kelly, Debbie Stabenow, Gary C. Peters, Amy Klobuchar, Margaret Wood Hassan, Elizabeth Warren, Jack Reed, Alex Padilla, Maria Cantwell, Tim Kaine, Sherrod Brown, Robert P. Casey, Jr., Richard J. Durbin, Jon Ossoff.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, May 24, be waived.

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

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask unanimous consent that I be able to finish my remarks before the vote.

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

RUSSIA INVESTIGATION

Mr. GRASSLEY. On September 23, 2021, November 30, 2021, and again on February 15, 2022, I spoke on this floor about the fake Russia Alfa-Bank narrative. That narrative started in 2016. It took on a new life when Clinton campaign lawyer Michael Sussmann met with FBI General Counsel James Baker.

In that meeting, Sussmann provided information and data files that allegedly contained evidence of a secret communication channel between the Trump organization and a Russian bank, Alfa-Bank. The evidence was fabricated by the Clinton campaign. The allegations about the Trump organization being linked with a Russian bank were false. Of note, Sussmann also provided Baker information Fusion GPS gave him as part of their work for the Clinton campaign. This was an all-hands-on-deck strategy to destroy the Trump Presidency and the campaign.

With the ongoing Sussmann trial now underway here in DC, the false Alfa-Bank narrative is more relevant now than ever before. I want to tell you why.

A mere several days after the meeting with James Baker, the FBI opened a full investigation on September 23, 2016. Around that time, an FBI agent working on cyber matters reviewed the information provided by Sussmann. That agent said:

We did not agree with the conclusion . . . that this represented a secret communication channel.

He also stated that “whoever had written that paper had jumped to some conclusions that were not supported by the data” and that “the methodology they chose was questionable to me.”

Here is the kicker:

I did not feel that they were objective in the conclusions that they came to. The assumption that you would have to make was so far-reaching that it just didn’t make sense.

So last Friday, in a courtroom, Robby Mook, Hillary Clinton’s campaign manager, testified that Hillary Clinton was asked about the plan to

share this fake information with the media. Hillary Clinton approved that plan. Jake Sullivan was involved in that decision as well. He is, of course, as we know, President Biden’s National Security Advisor.

The Clinton campaign fabricated evidence trying to connect Trump to Russia. They fed it to the media to start a yearslong wildfire of false allegations. They fed it to the FBI to trigger a Federal investigation into their opposing candidate.

I said it before and will say it again: The Clinton campaign was the conspiracy, and it was a big bag of dirty tricks.

This false Alfa-Bank information eventually landed with the media outlet Slate, which ran an article on October 31, 2016. After that article, Sullivan, the now National Security Advisor, issued his now-infamous tweet: “This could be the most direct link yet between Donald Trump and Moscow.” Hillary Clinton also tweeted: “Computer scientists have apparently uncovered a covert server linking the Trump Organization to a Russian-based bank.”

Now, they weren’t the only ones pleased with this fake news. On October 13, 2020, Senator JOHNSON and I wrote a letter to the FBI where we made public texts between Andrew McCabe and Lisa Page.

Page says to McCabe:

And the Alfa-Bank story is in Slate.

McCabe’s reply:

Awesome.

The FBI’s excitement didn’t end there. This week, Durham’s prosecutors introduced a message between FBI agents that said:

People on the 7th floor to include Director are fired up about this server.

Now, they—meaning the FBI seventh floor people—were “fired up” about fake information, which is just terrible. The FBI’s job is really to get fired up about fake information? It is more than that, however; it is a gut-wrenching attack on our system of government.

Now, there is another data point that I want to share. Durham recently released notes from a March 6, 2017, meeting between the Justice Department and FBI officials. In that meeting, they discussed predication and Crossfire Hurricane issues. This meeting was 2 weeks before then-Director Comey publicly announced his investigation into Trump.

On that very day, March 6, 2017, I wrote a letter to Comey asking questions about the Steele dossier. My press release for that letter is titled “FBI plan to pay ex-spy for Trump intel during campaign sparks questions of Obama administration’s use of federal authorities for political gain.” That was from March 6, 2017. Now, in May of 2022, that title just about sums up Crossfire Hurricane as best as it can be described.

Now, in closing, I would like to make a few notes with respect to predication.

The September 23, 2016, FBI electronic communication opened a full investigation into the Alfa-Bank allegations, but let's unpack the first few lines from that document.

The FBI received a referral of information from the US Department of Justice.

The Department of Justice provided the FBI with a white paper that was produced by an anonymous third party.

Well, the information didn't come from the Department of Justice; it came from Sussmann and the Clinton campaign—hardly an anonymous third party since Sussmann himself showed up at the door. By wording it this way, the document almost blesses this so-called white paper. Mind you, the white paper is the false Alfa-Bank information. By the looks of it, this FBI document contains false information.

I fear these recent developments are just the tip of the iceberg. The FBI's exposure to false information and actually using that false information for investigative purposes wreaks of a political vendetta. It points to a "get Trump at all costs" attitude.

Whether Sussmann is convicted or not, the evidence introduced by Durham shows serious government misconduct—misconduct by the Federal Government of the United States of America. Special Counsel Durham can't let government misconduct go unpunished.

I yield the floor.

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Stephanie Dawkins Davis, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

VOTE ON DAVIS NOMINATION

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

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

Mr. BROWN. Madam 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 senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY), the Senator from Washington (Mrs. MURRAY), and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Florida (Mr. RUBIO), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Arkansas (Mr. BOOZMAN)

would have voted "nay" and the Senator from Oklahoma (Mr. INHOFE) would have voted "nay."

The result was announced—yeas 49, nays 43, as follows:

[Rollcall Vote No. 194 Ex.]

YEAS—49

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

NAYS—43

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

NOT VOTING—8

Boozman	Murkowski	Toomey
Inhofe	Murray	Van Hollen
Merkley	Rubio	

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.

CLOTURE MOTION

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. 896, Dara Lindenbaum, of Virginia, to be a Member of the Federal Election Commission for a term expiring April 30, 2027.

Charles E. Schumer, Christopher Murphy, Tina Smith, Robert Menendez, Christopher A. Coons, Michael F. Bennet, Robert P. Casey, Jr., Benjamin L. Cardin, Elizabeth Warren, Tim Kaine, Patty Murray, Jack Reed, Sheldon Whitehouse, Tammy Duckworth, Debbie Stabenow, Edward J. Markey,

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 Dara Lindenbaum, of Virginia, to be a Member of the Federal Election Commission for a term expiring April 30, 2027, 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. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY), the Senator from Washington (Mrs. MURRAY), and the Senator from Maryland (Mr. VAN HOLLEN), are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Florida (Mr. RUBIO), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from Arkansas (Mr. BOOZMAN) would have voted "nay."

The yeas and nays resulted—yeas 54, nays 39, as follows:

[Rollcall Vote No. 195 Ex.]

YEAS—54

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

NAYS—39

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

NOT VOTING—7

Boozman	Murray	Van Hollen
Merkley	Rubio	
Murkowski	Toomey	

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 39.

The motion is agreed to.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from Massachusetts.

ORDER OF PROCEDURE

Mr. MARKEY. Mr. President, I ask unanimous consent that at 6 p.m. today, the Senate vote on confirmation of the Lindenbaum nomination and the cloture motions on the Padin, Sweeney, and Morrison nominations; and that if cloture is invoked on any of those nominations, all postcloture 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.