

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. 651, Henry Christopher Frey, of North Carolina, to be an Assistant Administrator of the Environmental Protection Agency.

Charles E. Schumer, Jacky Rosen, Cory A. Booker, Elizabeth Warren, Benjamin L. Cardin, Patty Murray, Brian Schatz, Robert P. Casey, Jr., Margaret Wood Hassan, Alex Padilla, Amy Klobuchar, Tina Smith, Jeff Merkley, Jack Reed, Angus S. King, Jr., Chris Van Hollen, John W. Hickenlooper.

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 Henry Christopher Frey, of North Carolina, to be an Assistant Administrator of the Environmental Protection Agency, 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. DURBIN. I announce that the Senator from Oregon (Mr. MERKLEY), the Senator from Maryland (Mr. VAN HOLLEN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), and the Senator from Arkansas (Ms. MURKOWSKI).

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

The yeas and nays resulted—yeas 51, nays 43, as follows:

[Rollcall Vote No. 204 Ex.]

YEAS—51

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

NAYS—43

Barrasso	Grassley	Moran
Blackburn	Hagerty	Paul
Blunt	Hawley	Risch
Boozman	Hoehn	Romney
Braun	Hyde-Smith	Rounds
Capito	Inhofe	Rubio
Cassidy	Johnson	Sasse
Cotton	Kennedy	Scott (FL)
Crapo	Lankford	Scott (SC)
Daines	Lee	Shelby
Ernst	Lummis	Sullivan
Fischer	Marshall	
Graham	McConnell	

Thune	Toomey	Wicker
Tillis	Tuberville	Young

NOT VOTING—6

Cornyn	Merkley	Van Hollen
Cruz	Murkowski	Whitehouse

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 43.

The motion is agreed to.

EXECUTIVE CALENDAR

The clerk will report the nomination.

The bill clerk read the nomination of Henry Christopher Frey, of North Carolina, to be an Assistant Administrator of the Environmental Protection Agency.

The PRESIDING OFFICER. The senior Senator from Montana.

Mr. TESTER. Is this a proper forum to do a unanimous consent request?

The PRESIDING OFFICER. It is.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. TESTER. Madam President, the Department of Veterans Affairs needs a steady hand to guide the Veterans Health Administration, this Nation's largest integrated healthcare system that delivers quality care and timely care to our veterans, if they have a leader.

I rise today because Dr. Shereef Elnahal is that person. He has an impressive record of leading healthcare systems and health agencies.

Most recently Dr. Elnahal served as president and CEO of University Hospital in Newark, NJ, and previously as New Jersey's 21st health commissioner. But, more importantly, he is committed to caring for the more than 9 million veterans in VA care, a commitment he has carried out as assistant deputy undersecretary for health and quality, safety, and value at the department. It is no secret that VHA and healthcare systems of providers nationally are going through a challenging time.

VA is continuing to battle the impact of the COVID-19 pandemic, with veterans' cases, hospitalizations and death on the rise again. And VA staff are dealing with burnout and increasing turnover in our VA system.

So I am going to tell you, if the people of this body want to help—want to help veterans, holding this nominee is not the way to help veterans. And I will tell you what, they are actually doing a disservice to veterans and their families by playing political games and preventing permanent healthcare leadership at the VA, which is so critically important.

In the past, this body has been able to rise above politics to install qualified individuals at the VA, responsible for getting vets the healthcare and the benefits that they not only need but they have earned. And today, we must do that again.

We must act without delay to confirm Dr. Elnahal as VA's next undersecretary for health.

So with that, I would ask unanimous consent that notwithstanding rule 22,

the Senate consider the following nomination: Calendar No. 902, Shereef M. Elnahal, to be undersecretary for health of the Department of Veterans' Affairs; that the Senate vote on the nomination without intervening action or debate, the motion to reconsider be considered made and laid upon the table, that any statements related to the nomination be printed in the record.

The PRESIDING OFFICER. Is there objection?

The junior Senator from Florida.

Mr. SCOTT of Florida. Reserving the right to object.

Throughout his presidency, Joe Biden and his administration have shown an inability to place qualified and competent people in many positions of power across the Federal Government. We have had crisis after crisis due to the failed leadership of President Biden and his appointees.

Americans have been left with no faith in President Biden's ability to lead or appoint qualified individuals to serve in these important roles. And this nominee, who will be in charge of critical healthcare programs in the Department of Veterans Affairs, is no different.

I cannot and will not consent to allow this nominee to move forward in an expedited manner.

We should take a vote so every Senator can get on the record with their support or opposition to this nominee.

Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The senior Senator from Montana.

Mr. TESTER. Madam President, this individual—through the Chair—has been President and CEO of University Hospital in Newark, NJ. He has been New Jersey's 21st health commissioner. Why do you think—Senator from Florida, through the Chair, why do you think that makes him unqualified? Would the Senator from Florida like to respond?

Mr. SCOTT of Florida. I don't think we should do this in an ex parte manner.

Mr. TESTER. What is that? I couldn't hear you.

The PRESIDING OFFICER. The junior Senator from Florida.

Mr. SCOTT of Florida. I don't think we should do this in an ex parte manner. I think everybody should be on the record.

Mr. TESTER. So we had a hearing on Mr. Elnahal. If my memory serves me correct, he went out by voice, because he was so very, very good.

I would really appreciate it if the Senator from Florida would at least stay here rather than turn his back on the veterans of America and walk out the door, turning his back on the American veterans, the people who have served this country, the people who have fought. We are coming up to Memorial Day. I hope that the Senator from Florida doesn't walk into Memorial Day services and talk about what a

great friend he is of our veterans because he is not.

All I am asking for is to give the VA the tools they need to be able to provide our veterans with the healthcare they have earned.

This isn't the first time I have been on the floor for a unanimous consent request with the Senator from Florida. But this is an excuse that doesn't hold water. I didn't see the Senator from Florida at the committee hearing. Even though he is not a member of the VA Committee, if he was so concerned about this person, why wasn't he at the committee hearing to hear the responses that Dr. Elnahal gave?

I am going to tell you what this is. With all due respect to the Senator from Florida, this is obstruction at the worst because this obstruction stops our veterans from getting the healthcare they need.

You want to talk about why the American people think the U.S. Senate is dysfunctional? The Senator from Florida could look in the mirror.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. WARNOCK). Without objection, it is so ordered.

UKRAINE

Mr. SCOTT of Florida. Mr. President, at the end of April, I had the honor of traveling to Germany, Poland, and Lithuania to meet with American servicemembers and hear from high-level government officials on the state of democracy in Europe as Russia wages war against Ukraine. I returned to the United States with the reassurance that the commitment of our partners and allies to defending freedom and defeating tyranny has only grown stronger. I also returned with three important takeaways that I believe must be central in America's response to Russia's murderous invasion of Ukraine and must define our commitment to supporting our NATO allies and preserving democracy.

First, America and our freedom-loving partners across the world must renew our commitment to "never again," support the massive humanitarian efforts underway to aid Ukrainian refugees and those who are helping them, and forcefully condemn the genocide occurring at the direction of Vladimir Putin in Ukraine.

Let me say that again. First, America and our freedom-loving partners across the world must renew our commitment to "never again," support the massive humanitarian efforts underway to aid Ukrainian refugees and those who are helping them, and forcefully condemn the genocide occurring at the direction of Vladimir Putin in Ukraine.

In 2005, my wife, daughters, and I spent 2 days visiting the Auschwitz Memorial and Museum in Poland. Anyone who has had the opportunity to walk the grounds of that place will tell you how overwhelming it is to confront the horrors that occurred there. It is out of these horribly dark places that the phrase "never again" was born.

Following the liberation of the Nazi concentration camps, the world pledged to never again allow genocide to take the lives of innocent people, but today, Putin is choosing that path.

When I returned to Poland last month, I had the solemn honor of participating in a Holocaust memorial ceremony alongside U.S. Ambassador to Poland Mark Brzezinski in what was formerly the Warsaw ghetto and laid a wreath there to honor the Jewish people who fought the Nazi occupation. I also visited a refugee center serving the thousands of Ukrainians forced from their homes and who have been welcomed with open arms by the Polish people.

During the ceremony and as I walked through the refugee center, my thoughts constantly turned to the atrocious attacks on Mariupol. The leveling of that city and the mass graves found there in Bucha cannot be ignored or dismissed as part of the war. These are crimes against humanity. Children are dying. Families are dying precisely because they are Ukrainian and won't do what the dictator Putin wants them to do. This is genocide.

World leaders promise "never again," but they are failing.

I thank God for the incredible hospitality of the Polish people to welcome these Ukrainian families. I am grateful, too, for what other European countries are doing to help them.

We must do everything in our power, using our voices, actions, and resources, to support these humanitarian missions and forcefully condemn Putin's genocide in Ukraine.

Second, we must continue to show full support to Ukraine and do everything in our power to help it win in this war. That includes approving delivery of the MiG-29 fighter jets that President Zelenskyy has been requesting for months.

President Biden's blockade of these aircraft is an act of weakness and makes no sense. If we want to prevent putting American men and women on the battlefield, we need to give Ukraine every military and intelligence resource it needs to fight and win this war. Most of our NATO allies agree with this, but Joe Biden insists on standing in the way and is actively helping Putin maintain dominance in the skies.

Vladimir Putin is a murderous thug. His unjust war intentionally targets civilians and has taken thousands of innocent lives. This is genocide.

The Ukrainians have shown that they are willing and able to fight this war themselves and can defeat Putin. We need to let them do it. When the war is

over, accountability must be demanded and secured. Putin and his thugs in Russia and Belarus must be tried for their crimes in a war tribunal. They should never see another day of freedom as long as they live.

Third and finally, we must recognize the importance of energy and industrial independence from tyrannical and genocidal regimes like Russia and communist China.

I have long advocated for American businesses to decouple their operations from communist China. In March, I appealed directly to American business leaders and urged them in an open letter to begin the process of cutting ties with communist China and our dependence on its supply chain and realign American businesses with U.S. values.

Russia's unprovoked invasion of Ukraine shows exactly why decoupling from evil regimes is so important, and Europe now understands this better than anyone else. That is why we should applaud businesses that have taken steps to end their relationships with these regimes and applaud nations like Lithuania, Estonia, and Poland, which have taken aggressive action to end their reliance on Russian energy.

Lithuania has also boldly stood up to communist China and supported Taiwan. Their bravery is exemplary and deserves our support.

These nations are the exception to the rule in Europe, but their leadership in forming partnerships with democratic neighbors like Norway has proven critical to freeing them from the Kremlin's threats of withholding resources.

To protect democracy and sovereignty from the influence of evil leaders like Putin and Xi, we must commit to preferring to do business with fellow democratic governments as much as possible. That is why I have been demanding that Biden take immediate steps to put America back on the path to energy independence, stop his appeasement policies with the world's dictators, and end all trade talks with Venezuela and other evil regimes.

I recently secured a commitment from Energy Secretary Granholm that the United States would not import any oil from Venezuela or Iran. She said so in an open and public hearing in the Senate Armed Services Committee. President Biden needs to publicly reaffirm that commitment.

Our attitude should always be America first, but if it can't be made in America, it must be made by a democratic partner or at the very least one who seeks mutual benefit with us instead of our downfall.

Decoupling from Russia and communist China and other tyrannical regimes will not be easy for many businesses or governments, America included. This move won't occur overnight, but it is absolutely necessary as these despots advance their plans for world domination and continue to carry out assaults on sovereignty and democracy in Europe and Asia, as well