

Leahy, Martin Heinrich, Tim Kaine, Chris Van Hollen.

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 Kenia Seoane Lopez, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the 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. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. HOEVEN) and the Senator from Utah (Mr. ROMNEY).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The yeas and nays resulted—yeas 59, nays 38, as follows:

[Rollcall Vote No. 19 Ex.]

#### YEAS—59

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

#### NAYS—38

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

#### NOT VOTING—3

Hoeven	Luja	Romney
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The PRESIDING OFFICER (Ms. HASSAN). On this vote, the yeas are 59, the nays are 38.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Kenia Seoane Lopez, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

#### 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 Executive Calendar No. 410, Sean C. Staples, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Charles E. Schumer, Gary C. Peters, Richard Blumenthal, Catherine Cortez Masto, Sheldon Whitehouse, Richard J. Durbin, Jacky Rosen, Margaret Wood Hassan, Mark Kelly, Benjamin L. Cardin, Brian Schatz, Debbie Stabenow, Angus S. King, Jr., Patrick J. Leahy, Martin Heinrich, Tim Kaine, Chris Van Hollen.

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 Sean C. Staples, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the 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 legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN), the Senator from West Virginia (Mr. MANCHIN), and the Senator from Virginia (Mr. WARNER) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from North Dakota (Mr. HOEVEN), the Senator from Utah (Mr. ROMNEY), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "nay."

The yeas and nays resulted—yeas 55, nays 38, as follows:

[Rollcall Vote No. 20 Ex.]

#### YEAS—55

Baldwin	Hickenlooper	Rosen
Bennet	Hirono	Rounds
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Capito	Leahy	Sinema
Cardin	Markey	Smith
Carper	McConnell	Stabenow
Casey	Menendez	Tester
Collins	Merkley	Tillis
Coons	Murkowski	Van Hollen
Cortez Masto	Murphy	Warnock
Duckworth	Murray	Warren
Durbin	Ossoff	Whitehouse
Feinstein	Padilla	Wyden
Gillibrand	Peters	Young
Hassan	Portman	
Heinrich	Reed	

#### NAYS—38

Barrasso	Boozman	Burr
Blackburn	Braun	Cassidy

Cornyn	Hawley	Risch
Cotton	Hyde-Smith	Rubio
Cramer	Inhofe	Sasse
Crapo	Johnson	Scott (FL)
Cruz	Kennedy	Scott (SC)
Daines	Lankford	Shelby
Ernst	Lee	Sullivan
Fischer	Lummis	Thune
Graham	Marshall	Tuberville
Grassley	Moran	Wicker
Hagerty	Paul	

#### NOT VOTING—7

Blunt	Manchin	Warner
Hoeven	Romney	
Lujan	Toomey	

The PRESIDING OFFICER. On this vote the yeas are 55, the nays are 38.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Sean C. Staples, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, before I begin my remarks, I have been asked to do the wrapup.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. MENENDEZ. Madam President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### THE GREAT EXPERIMENT

Mr. LEAHY. Madam President, from the sweeping Green Mountains to the shores of the iconic Lake Champlain, one need look no further than Vermont to find the beating heart of America. To this day, communities across Vermont are welcoming refugees from around the world and most recently from war-torn Afghanistan. It is our history as a nation of immigrants that make these United States, as George Washington put it, the Great Experiment.

But with each passing moment, it seems this simple foundation of our Nation is under attack. Nationalism is on the rise and, with it, the threat that bedrock principles of our democracy are threatened. The strength of our Nation rests not in what divides us, but in what unites us. By sharpening the division, we edge toward authoritarianism, as Vermonter Haviland Smith wrote earlier this month in his column, "Rural Ruminations."

Another of our great Presidents, Abraham Lincoln, so clearly said, "A house divided cannot stand." Those words, now nearly 164 years old, are as true today as ever.

I would invite everyone to read Haviland's recent column, and I ask unanimous consent that it be printed in the RECORD.

Its observations, and importantly the questions he pose, deserve thoughtful consideration.

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

[From the Times Argus, Jan. 3, 2022]

RURAL RUMINATIONS: EDGING TOWARD  
AUTHORITARIANISM

(By Haviland Smith)

At the onset of 2022, The United States of America appears to be heading for possible major change. Opposing forces and ideologies are so hostile toward each other that there is clearly the possibility that this former relatively pure democracy will be taken over by an entirely authoritarian management.

Authoritarianism is defined as "the enforcement of strict obedience to authority at the expense of personal freedom and a lack of concern for the wishes and opinions of others". Does that not define the United States at this moment? All we need to do now to be true to the ongoing world pattern is codify the situation governmentally.

If you look around the world you will see case after case of countries being taken over by authoritarianism. Look at the Philippines, Brazil, Nicaragua, and Venezuela. One rationale for these takeovers is to "restore order".

How is it possible that the United States could fit into this mold? To understand that question, it is important to look at the religious and ethnic makeup of today's authoritarian states. What you will see right away in many if not most of those states are ethnically and/or religiously divided countries. Authoritarianism in the Middle East has not only ethnic divisions (Arab, Persian, Kurd, Druze, Turkish, etc.), but the religious split between Shia and Sunni. The Chinese have the Uighurs and over 50 other ethnic groups. The Russians have over 120 ethnic groups within their borders. And so it goes on and on, with many, if not most countries dealing with minorities that are not always friendly and that are often sufficiently hostile for the majority to install authoritarianism to gain and maintain power and to cope with those minority groups and their concomitant disorders.

Where many if not most of such divided countries have simply evolved that way through the realities of geography and simple migration, the United States is in class by itself. It has voluntarily created what may well be the world's most diverse country and it has done so purposefully and eagerly. Let's face it, the only people who have always lived here are the native Americans. Europeans changed all that when they arrived in numbers on this continent in the middle of the 16th century. Since then, largely for economic reasons, we have seen every kind of migration that has ever existed. Over the centuries we have benefitted from immigration from over 100 countries in Africa, Asia, Central America, the Caribbean, the Middle East, North Africa, Europe, South America and North America.

Many of those immigrants, particularly black Africans, were brought here against their will as slaves to work for the European settlers. Others, mostly from more adjacent countries to our south, came here to work for better compensation, but it is critical to understand that they have played an incredibly important role in the advancement of the United States on the economic front. How are we Americans to survive if today's

politicians succeed in forbidding or even limiting the migration of Latin Americans who come to work mostly in agriculture? Who will do that work?

Nativism has always existed in United States history. Some of the original colonists despised people who did not share their own religious faiths. Nativism was particularly strong during the major periods of immigration in the 19th Century.

Somewhere along the way, America's nativists came to believe that people who were born in the United States were somehow better than those born abroad. Given our history and recognizing today's realities, one simply has to ask whether the remnants of nativism are playing a role in the philosophy of a large chunk of the American population.

We have imported diverse groups of people over the years. In the main, they have been encouraged to maintain their original identities and cultures. This has created here in immigrant America the kinds of frictions between those groups that have always existed around the world. With a positive attitude toward immigration, whether for justified reasons or not, we have created the kind of situation that has led to authoritarian coups throughout the world.

One could speculate that the negative attitudes of one third of our population toward immigrants and foreigners is nothing more than a holdover of attitudes that have existed here since the first European settlers arrived on our shores. That certainly does not make those attitudes appropriate, but it would provide some understanding on how they got here and why they continue to exist.

Is America to have the next authoritarian regime?

#### AMERICA'S PHOTOJOURNALISTS AND JANUARY 6

Mr. LEAHY. Madam President, they are sometimes called the Fourth Estate. The dedicated writers, researchers, editors, and investigators of the media, new and old. Their reporting writes the first draft of history. What an awesome responsibility.

But today, I want to recognize one particular set of reporters: the press photographers. Their images, also part of the first draft of history, bring the words to life. The photos they capture tell stories through images—sometimes moving, sometimes horrific—a language so universal that, sometimes, they need no words.

Many have written about the events of January 6, when a violent mob of insurrectionists attacked the Capitol and, indeed, our very seat of government. I was here that day, like so many Members of Congress, both the House and Senate, and so many staffers. And what I saw was unlike anything I have seen in my 47 years in the U.S. Senate. The press saw it, too—going on air to give accounts of what was happening, filing stories on the wires as the events were unfolding—and snapping the photographic evidence of the violence, the fear, the vandalism, and, yes, the determination of that day.

Scott Applewhite, a longtime photographer for the Associated Press, earlier this month published a piece for "The Public's Radio," recounting his experi-

ences that day and sharing several of the photographs he took that document the events that unfolded. It is well worth a read, and I ask unanimous consent that it be printed in the RECORD.

For anyone who is unaware of or who doubts the role of the press, and of its vigilant photographers, know this: While we work to make history, it is they who write it, as they capture and document it in their images. And make no mistake: Their jobs are as critical today as ever before.

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

[From the Public's Radio Jan. 5, 2022]

'WE HAVE TO BE THERE': AP PHOTOGRAPHER

RECALLS CAPITOL SIEGE

(By Scott J. Applewhite)

When the U.S. Capitol came under siege a year ago, Associated Press photographer J. Scott Applewhite was in the House chamber. In some respects he was the eyes of the world. All these months later, he is still processing the events of Jan. 6 as a photojournalist and as an American. When he thinks about it, Applewhite's ultimate assessment is this: The job of the photojournalist, is to show people what they can't see on their own. And to do that, journalists have to be there—as he was.

WASHINGTON (AP).—The U.S. Capitol was under siege. By Americans.

It was Jan. 6, 2021, on Capitol Hill in Washington, and Associated Press photographer J. Scott Applewhite was in the middle of it all—and was the eyes of the world in some respects. His camera recorded images that we are still gazing at today.

Here, he remembers some moments that stood out to him—moments that, so many months later, he is still processing as a photojournalist and as an American.

"The Capitol has been breached!" the Capitol Police officer shouted to lawmakers. Tear gas was in the Rotunda. "Get out your escape hoods and prepare to evacuate!" the officer said.

Glass was breaking in the main door to the chamber of the House of Representatives—the very door where you see the president enter for the State of the Union address. Quickly, the police and a few lawmakers grabbed benches and cabinets and barricaded the door.

From the officers came loud commands: Evacuate. Now. Stragglers were not tolerated—members of Congress, staffers, journalists, all.

But the move to safety was not immediate. Because they didn't know what was on the other side of the door.

You could hear the growl of the mob just outside. In the chamber, the officers were focused, their guns aimed. And I was trained on the door as well—with a telephoto zoom.

It was pretty sure I was right where I was supposed to be. I kept my lens focused on that reinforced door. Then: There was an eye, trying to see inside—the face of one of the rioters wearing a Trump hat. What he did not see were the guns aiming inches from his face.

I kept steady and held tight on that spot.

When the breach of the Capitol was announced and evacuation began, it was a chaotic and uncertain process. Evacuate to where? The mob was on the other side of the doors.

Eventually, the officers announced that tear gas had been deployed in the nearby Rotunda. All were instructed to don escape hoods that were stashed under the seats. That was part of the preparedness in the