

(Mr. VAN HOLLEN) are 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 PRESIDING OFFICER (Mr. DURBIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 57, nays 38, as follows:

[Rollcall Vote No. 21 Ex.]

#### YEAS—57

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

#### NAYS—38

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

#### NOT VOTING—5

|        |         |            |
|--------|---------|------------|
| Hoeven | Romney  | Van Hollen |
| Lujan  | 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.

#### 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 bill 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. 556, Ebony M. Scott, 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, Sheldon Whitehouse, Richard J. Durbin, Richard Blumenthal, Catherine Cortez Masto, 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 Ebony M. Scott, 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 bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

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

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

The yeas and nays resulted—yeas 58, nays 37, as follows:

[Rollcall Vote No. 22 Ex.]

#### YEAS—58

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

#### NAYS—37

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

#### NOT VOTING—5

|        |          |            |
|--------|----------|------------|
| Hoeven | Marshall | Van Hollen |
| Lujan  | Romney   |            |

The PRESIDING OFFICER (Mr. HICKENLOOPER). The yeas are 58, and the nays are 37.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk reported the nomination of Ebony M. Scott, 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. 557, Donald Walker Tunnage, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for a term of fifteen years.

Charles E. Schumer, Gary C. Peters, Sheldon Whitehouse, Richard J. Durbin, Richard Blumenthal, Catherine Cortez Masto, 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 Donald Walker Tunnage, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia 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. DURBIN. I announce that the Senator from New Mexico (Mr. LUJÁN) and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

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

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

The yeas and nays resulted—yeas 57, nays 38, as follows:

[Rollcall Vote No. 23 Ex.]

#### YEAS—57

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

#### NAYS—38

|           |         |         |
|-----------|---------|---------|
| Barrasso  | Boozman | Burr    |
| Blackburn | Braun   | Cassidy |

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

## NOT VOTING—5

|        |          |            |
|--------|----------|------------|
| Hoeven | Marshall | Van Hollen |
| Lujan  | Romney   |            |

(Mr. WHITEHOUSE assumed the Chair.)

The PRESIDING OFFICER (Mr. OSSOFF). On this vote, the yeas are 57, the nays are 38.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Donald Walker Tunnage, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for a term of fifteen years.

The PRESIDING OFFICER. The Senator from Michigan.

## JUDICIAL NOMINATIONS

Mr. PETERS. Mr. President, I rise today to urge my colleagues to confirm several highly qualified nominees to serve on the local District of Columbia courts—the DC Superior Court, which functions as the State-level trial court, and the DC Court of Appeals, which serves as the State-level appellate court right here in our Nation's Capital.

Both courts are currently suffering from a vacancy crisis. There are 16 of the 62 DC Superior Court seats that are currently empty, and 3 of the 9 seats on the DC Court of Appeals are also vacant, slowing justice and impeding public safety for all District residents.

Last year, the Committee on Homeland Security and Governmental Affairs reported seven nominees to serve on the DC courts by a bipartisan voice vote. These include five nominees to serve on the DC Superior Court—Rupa Ranga Puttagunta, Kenia Seoane Lopez, Sean Staples, Ebony Scott, and Donald Tunnage—and two nominees to serve on the DC Court of Appeals—John Howard III and Loren AliKhan.

Judge Puttagunta currently serves as an administrative judge for the DC Rental Housing Commission. She began her legal career as a law clerk in the DC Superior Court and the DC Court of Appeals and practiced for several years in the District of Columbia, focusing on family and criminal law. I am certainly pleased that my colleagues confirmed her earlier today.

Judge Seoane Lopez currently serves as a magistrate judge on the Superior Court of the District of Columbia, a position that she has held for 9 years. She previously served as a bilingual attorney negotiator in the court's domestic violence division and as an assistant

attorney general for the Office of the Attorney General of the District of Columbia.

Judge Staples also currently serves as a magistrate judge for the District of Columbia Superior Court, a position he was appointed to in 2013. Early in his career, he served as a law clerk on the superior court and then worked as a solo practitioner and an assistant public defender. He went on to work as a clinical professor for several years, supervising law students representing criminal defendants in DC Superior Court.

Judge Scott has served as a magistrate judge on DC Superior Court since 2020. She previously served as a deputy director in the DC Mayor's Office of Legal Counsel as general counsel for the District of Columbia Office of Human Rights and the assistant attorney general for the DC Office of the Attorney General's housing and community justice section.

Mr. Tunnage has served as a criminal trial attorney in the Civil Rights Division of the U.S. Department of Justice since 2009 and previously served as an assistant public defender in Miami, FL.

Loren AliKhan has served as the solicitor general for the District of Columbia since 2018. She previously served as deputy solicitor general and spent time in the U.S. Department of Justice and in the appellate practice division of a DC law firm.

John Howard III currently serves as an administrative law judge with the District of Columbia Office of Administrative Hearings. He previously worked in private practice and served as an administrative law judge with the District of Columbia Commission on Human Rights.

All of these nominees are experienced lawyers and adjudicators, and all of them are dedicated to serving the people of the District of Columbia.

These are not controversial nominations. Unlike Federal judicial nominees, these individuals are extensively vetted by an independent, seven-member local commission, which recommends candidates for the President to nominate.

During the last administration, the Senate confirmed 10 local DC judicial nominees, all by voice vote.

I urge my colleagues to join me in confirming these nominees, each of whom has broad and strong bipartisan support.

Thank you.

The PRESIDING OFFICER. The Senator from Texas.

## ISSUES FACING AMERICA

Mr. CORNYN. Mr. President, during the last break in our voting schedule here in Washington, DC, I was grateful to have the time back home talking with my constituents about the challenges they are facing on a day-to-day basis and, like we all, I think, try to do, figuring out how we can be helpful to them here in the Senate.

I must note that there is usually a huge disconnect between what seems to

obsess the news media and folks living in the bubble of Washington, DC, and what I hear from my constituents back home, and this time wasn't much different.

When I was back in Austin, I received a briefing on the ongoing pandemic response efforts. Like the rest of the country and the rest of the world, COVID-19 hasn't gone away, and we are trying to slowly but surely both adapt and deal with the pandemic.

Thanks to an overwhelming response by the Federal Government initially back during the Trump administration, during Operation Warp Speed, we have access to vaccines on the fastest timeline that we have ever seen. Medical science and pharmaceutical companies and the government came together to produce effective and safe vaccines at a historic rate of speed. But even as the virus itself has morphed, as viruses, I understand, will likely do, we still continue to need things like personal protective equipment and additional tests and antibiotics treatments for people in my State.

Ironically, President Biden ran in large part in 2020 based on the COVID response of the Trump administration and, as we all recall, was pretty harshly critical. But now he seems to have changed his tune. When asked about things like access to testing, he says: Well, those are really State responsibilities.

Well, passing the buck is a familiar pastime here in Washington, DC, but I don't think anybody is fooled that this is an area where the Federal Government continues to play an essential role. Yes, our State leaders have done by and large, I think, a good job in their respective jurisdictions. The fact of the matter is, we still need a plan to deal with the testing and the ongoing effects of COVID-19.

Interestingly, people who wanted to get access to things like therapeutics, anti-viral drugs, and monoclonal antibiotics were told that the Federal Government would not allow the States to use those particular modalities anymore because the Federal Government had made a decision that this was not effective against the current strain. But, as we know, this virus continues to mutate. We are hoping that we don't go all the way through the Greek alphabet in various forms of this virus, but the fact of the matter is, I think we have all now gotten a little glimpse out of what Washington-run healthcare would look like, starting with rationing based on decisions being made in Washington, DC, about what should be available to people when they get sick or when they see their doctor.

I believe that those decisions are best left to individuals, in consultation with their healthcare provider to make those decisions. But we have gotten a little bit of a glimpse when Washington says no monoclonal antibiotics anymore, no therapeutic anti-virals because they don't work against the current strain of COVID-19, the Omicron.