

NOT VOTING—3

Hoeven Luján Romney

The nomination was confirmed.

Mr. DURBIN. Madam President, may I make an inquiry of the Chair?

How long was that last rollcall?

The PRESIDING OFFICER (Ms. BALDWIN). Approximately 55 minutes.

Mr. DURBIN. Can the Chair report the last Senator who voted?

The PRESIDING OFFICER. The Chair does not have that information.

Mr. DURBIN. Thank you, Madam Chair.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will immediately be notified of the Senate's actions.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the Staples nomination, which the clerk will report.

The senior assistant 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.

VOTE ON STAPLES NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Staples nomination?

Mr. DURBIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient question?

There appears to be a sufficient second.

The clerk will call the roll.

The 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 result was announced—yeas 59, nays 38, as follows:

[Rollcall Vote No. 25 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 Luján Romney

The nomination was confirmed.

The PRESIDING OFFICER (Mr. HICKENLOOPER). 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. 613, John P. Howard III, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

Charles E. Schumer, Richard J. Durbin, Richard Blumenthal, Gary C. Peters, Robert P. Casey, Jr., Sheldon Whitehouse, Martin Heinrich, Sherrod Brown, Patty Murray, Tammy Duckworth, Tim Kaine, Elizabeth Warren, Mazie Hirono, Alex Padilla, Tina Smith, Christopher A. Coons, Amy Klobuchar, Jon Tester.

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 John P. Howard III, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals 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 New Jersey (Mr. MENENDEZ) 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 yeas and nays resulted—yeas 62, nays 34, as follows:

[Rollcall Vote No. 26 Ex.]

YEAS—62

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

NAYS—34

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

NOT VOTING—4

Hoeven Menendez
Luján Romney

The PRESIDING OFFICER (Ms. SMITH). On this vote, the yeas are 62, the nays are 34.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of John P. Howard III, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

The PRESIDING OFFICER. The Senator from Alabama.

SCHOOL CHOICE

Mr. TUBERVILLE. Madam President, my colleagues across the aisle spent the first part of this year laser-focused on voting rights and the filibuster. Democrats at all levels, including President Biden, spoke of nothing else, claiming that this was the most important issue facing Americans and that the future of our country was at stake. But this was not a righteous crusade; it was a march into complete delusion—a message completely out of touch with the struggles of real Americans.

While Democrats lectured, Americans confronted reality. Across the country, inflation is squeezing paychecks, and COVID cases are skyrocketing. These are the issues that families are focusing on. Omicron's surge has sent students home from classrooms and back in front of computer screens. This is where parents' minds have been these last few weeks—not on Senate rules, not on the filibuster, but on their children's educations because when parents think

about the future of our country, they think about their children and the opportunities that they will have and that all starts with education.

During my four decades of coaching, I saw firsthand how education provides an unparalleled opportunity to uplift students from all different backgrounds, races, and religions. Education is the key to opportunity and freedom. It empowers students to create futures for themselves, to make better lives for themselves. It is a way to achieve the American dream. In short, education is our country's future. Ensuring the next generation receives a quality education is the most important investment—the most important investment—we can make in the future success of our country.

But before I talk about where we should go when it comes to education, it is important to note where we are today in education.

Right now, the United States of America is slipping. It is slipping in the classroom. When it comes to our global standing, we are 37th in the world—37th in the world—in math, and we are 13th in the world in reading. Just over half of the young people in our country today can read over the sixth grade reading level. That is simply not good enough for the most powerful country on the face of the Earth. Our students are falling behind.

At no time was this more important than in the last 2 years. COVID turned our living rooms into classrooms, bringing lesson plans to kitchen tables in homes all across the country. This gave parents a front row seat to what their children were and were not learning, and many parents did not like what they saw. Students weren't being taught how to think; they were being taught what to think. This shift from what is right to what is "woke" has startled parents, but it was also startling for parents to see what isolation did to their developing children.

As kids saw less of their friends, they retreated into darkness. Rates of depression and anxiety rose dramatically. Since the start of the pandemic, hospitals have seen more mental emergencies among kids than in the history of our country. In young girls, the suicide rate has jumped over 50 percent compared to the prepandemic levels—50 percent.

While we are nearly 2 years into the pandemic, the digital divide still creates profound roadblocks in learning for many children who lack access to rural broadband and even a laptop. Learning by low-income and minority students was disrupted the most by school closures.

The pandemic compounded existing problems in our education system, and every child has felt the effects of this pandemic from not having been in the classroom, but it has also highlighted a key piece of the educational puzzle: parents. Parents are the key to education for our kids. Parents realized the power of their collective voices

during the pandemic, and they are using it to advocate for improvements in the education of their kids in the classroom. Time and time again, we have seen parents stand against restrictive mandates and unnecessary school shutdowns.

Now, as we look toward the future of education, we need to remember what the pandemic taught us—that one size does not fit all. It rarely works, and it certainly does not work in education. That is why, moving forward, when we talk about education, we will have an opportunity to revisit the conversation about the importance of choice. Parents know their child best. They understand the unique needs of their children and can serve as the best advocates for those needs, especially now that the needs may be different than they were 2 years ago, before COVID.

A child's education shouldn't be defined by their ZIP Code or financial limitations. A child and their parents should have a choice about education. School choice increases options through vouchers or tax credit scholarships, allowing parents to select the best learning environment for their child. School choice breaks down barriers and allows the funds to follow the student.

School choice embraces the truth that different children learn in different ways and in different environments, whether it be in a charter school, a public school, a private school, or a home school. There are school choice successes, and there are stories everywhere we look.

Just take this story about a young man from Alabama. His name is Nicholas West. Without Alabama's tax credit scholarship, Nicholas and his brothers would have had no option but to have attended a high school that they were zoned for, which was a school that was unable to deliver the individualized instruction that they needed. Thanks to the school choice programs, Nicholas and his brothers were able to thrive in different learning environments based on their unique needs and interests. By being in an environment that set him up for success, Nicholas was able to earn college credits during high school, and he went on to start his own business upon graduating from high school.

I believe that this country owes you one thing: It owes you an opportunity. Yet what you do with that opportunity is up to the individual. For Nicholas, he used this opportunity—presented to him through the school choice—to tap his full potential. It makes sense that we should increase access to the opportunities for young men and women just like Nicholas. We must deliver the same opportunities to other students who have skills and drive but who need a path forward.

Alabama is making strides in opportunity and creation. Charter schools continue to grow in popularity in our State. Last year, enrollment increased over 65 percent—the second highest en-

rollment percentage in the Nation. If I sound like I am proud of the steps Alabama has taken to ensure we give our students opportunity, I am. I believe other States can learn from the emphasis Alabama has put on "choice."

As we learn more about how the pandemic has impacted students, educational choice will become that much more important. In fact, choice may make all the difference. When we look forward and discuss the future of our country, we have to get back to talking about education. The future of our country depends on the educational opportunities we make available to the next generation.

That is why I am proud that the resolution I helped to introduce, to recognize National School Choice Week, passed the Senate last night. I am glad my colleagues recognize how important it is to encourage parents and students to explore all available educational opportunities.

Conversations about the importance of school choice should continue to drive our priorities throughout this year. If we join together to make that commitment, our future for this country and our kids in this country will be much brighter.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Indiana.

UNANIMOUS CONSENT REQUEST—S. 2132

Mr. BRAUN. Madam President, last year, I introduced a handful of bills that would help the IRS do its job better. One of those bills is called the IRS Customer Service Improvement Act. This bill simply says that IRS staffers cannot perform any union tasks during the tax season, which seems to make sense. It doesn't keep them from doing it through the rest of the year. It is just not during the busy tax season.

According to the Treasury, in fiscal year 2019, 1,400 Treasury employees used over 350,000 hours of taxpayer-funded union time. It cost \$17 million. Of course, that is kind of like chump change in this day and age. Back in Indiana, \$17 million is a lot of money. It should be everywhere. Of these employees, 350 of the jobs were IRS customer service representatives and 204 were IRS agents. The American public deserves out of our Agencies, I think, service better than that.

We can debate how much money the IRS needs to do its job, but we need commonsense policies like this to where we are not trying to restrict what already, to many, would seem unusual—that when you are on the dime, when you are being paid by the Federal Government, you maybe shouldn't be able to do union activities at the same time. Anyway, a lot of things don't make sense here. This will immediately add value to the American taxpayer.

The IRS is warning Americans to prepare for delays and long hold times when filing their taxes this year. I would say that most folks would say that you need improvement.