

order to maintain this illusion of parity. And it is nothing more than an illusion after this spending spree that our Democratic colleagues have been on for the last 2 years.

I hope, finding ourselves where we are, that our colleagues are able to make some progress in the coming days and avoid another continuing resolution.

Last week, Secretary of Defense Lloyd Austin wrote to congressional leaders stressing the importance of a full-year government funding bill. He emphasized the negative impact of short-term funding on procurement, research and development, troop training, infrastructure projects, recruitment, and so much more. He didn't mince words in saying how critical it is to pass a regular appropriations bill, saying:

Failure to do so will result in significant harm to our people and our programs and would cause harm to our national security and our competitiveness.

This is where we find ourselves, and it is not an accident. This is a conscious design by the congressional leaders of the Democratic Party in the House and the Senate, who have said we are not going to have a regular appropriations process that is predictable and done on time and in a way that is transparent and allows the American people and rank-and-file Members of the Congress to participate. Instead, they have said we are going to push it all to the end of the year, backstop it against Christmas and the new Congress, and we are going to tell congressional Members you have those two choices: You can vote up or vote down. But they know that we have a responsibility to fund our military, we have a responsibility to fund our border security efforts, and so much more.

So it is unlikely, highly unlikely, that Congress will fail to pass an appropriations bill and turn the lights out here in Washington, DC, and shut down the government. Our congressional leaders know that, but they have been reckless in the way they have handled this to the point now where we have very few choices.

This is not what responsible governing looks like. Our Democratic colleagues have left the most fundamental tasks of the government to the very last moment.

The Defense authorization bill and the government funding bills are not a surprise. These are necessary to complete each and every year, and the deadlines arrive like clockwork. But somehow our colleagues, the leadership in the House and the Senate, our Democratic colleagues, have gotten us here by design.

They understand how this place works, and they like the fact that they maintain bulk control over \$1.7 trillion in spending, and they use the National Defense Authorization Act to try to jam through other special interest goodies because they realize that with so few moving vehicles across the floor

of the U.S. Congress this late in the year, that that is what will happen.

When you have a must-pass bill, people will look for every opportunity to put in their special project because they know that will be carried along, along with this must-pass legislation.

Inflation remains at a 40-year high, communities across the country are dealing with increases in violent crime, and the crisis at the border is growing more challenging by the day. I can't help but to believe that the American people deserve better than this, and I hope the next few weeks will bring more productivity than the last few months have. And I hope that once we put the business of our national security and appropriating for the support of the Federal Government behind us, hopefully sooner rather than later, we won't repeat this same mistake year after year after year.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### NOMINATION OF ELIZABETH FRAWLEY BAGLEY

Mr. WARNER. Mr. President, I rise today in support of a dedicated and well-qualified individual who has been nominated by President Biden to fill an increasingly important role. That person is Elizabeth Bagley, who has been nominated to be the U.S. Ambassador to Brazil.

Elizabeth Bagley has been involved in public service for decades. Twenty-eight years ago, as a matter of fact, she appeared before the U.S. Senate, then being considered as President Clinton's nominee to be Ambassador to Portugal. She went on to serve in that role from 1994 to 1997, which was a period of growth and positive development in this important bilateral relationship.

For the service in Portugal, she received distinguished awards from the Portuguese Navy and Air Force as well as the Grand Cross of Prince Henry the Navigator, which is the President of Portugal's highest civilian commendation.

She is also the recipient of the Global Democracy Award from the International Women's Democracy Center, the Ellis Island Medal of Honor, and the 2013 Secretary of State's Distinguished Honor Award.

In 2013, she served as Alternative Representative of the United States to the United Nations, and prior to that was the first Special Representative to the Secretary of State for Global Partnerships.

In her years of diplomatic service, she has also worked as a senior adviser to Secretaries Kerry, Clinton, and the late Madeleine Albright.

President Biden has nominated her to an especially critical role, and that

is to be our Nation's Ambassador to Brazil—the largest economy in South America, a country that is going through dramatic transitions right now. As a matter of fact, Brazil will be inaugurating its new President at the beginning of January. And I believe—frankly, it has been an embarrassment that we have gone almost 2 years without an Ambassador to Brazil—I believe it is critically important that Ambassador Bagley be in Brasilia, having been presented her credentials in time for the inauguration of the new Brazilian President.

As a matter of fact, in terms of north-south relations, our relations with Brazil are as critical as virtually any nation in the Southern Hemisphere. We have got lots and lots of work to do on this important relationship, and it is important that we move forward.

Originally, I was going to come down and ask UC to both have Elizabeth Bagley discharged from committee and also confirmed now on the floor. Working with my Republican friends, I appreciate the fact that I believe they are going to allow us to move forward on the discharge from committee but not move forward on Ms. Bagley's confirmation as Ambassador. I know there may be some holds on all north-south Ambassadors at this point, but I implore my colleagues on the other side of the aisle. This is a talented, well-suited, appropriately experienced individual. This relationship between the United States and Brazil is absolutely critical now perhaps more than ever, and I hope that we can find some level of accommodation to move past the action we take today and make sure that Elizabeth Bagley is confirmed as our country's Ambassador to Brazil so that she can be in Brasilia by the time the new administration in Brazil comes into power in early January under President Lula.

Ms. KLOBUCHAR. Mr. President, I come to the floor today to support Elizabeth Bagley's nomination to serve as Ambassador Extraordinary and Plenipotentiary to the Federative Republic of Brazil.

Elizabeth brings to this position significant experience in diplomacy, law, and foreign affairs. Over the course of her incredible career, she has served our country as Ambassador to Portugal, as a senior adviser to multiple Secretaries of State, and as congressional liaison to the Helsinki Accords and the Camp David Treaties.

At the State Department, she was the first person to serve as the Special Representative for Global Partnerships, an office which worked to advance foreign policy priorities through private sector engagement. She has a background in international law and shared that expertise with the students at Georgetown University Law Center. Through her years advising key leaders like Madeleine Albright, Hillary Clinton, and John Kerry, Elizabeth gained the experience needed to represent our country on the world stage.

We all know about the key role Ambassadors play in diplomacy. U.S. and broader democratic efforts suffer when we do not have an Ambassador in place—someone to officially represent the U.S. Government, to lead our Foreign Service Officers abroad, and to strengthen diplomatic ties with other nations.

This is particularly true of Brazil, a country that is home to a U.S. Embassy, four consulates, a branch office, and decades of partnership. More than 40,000 students, teachers, and professionals have participated in exchanges between the United States and Brazil. The United States is Brazil's second largest trading partner, and our governments and law enforcement agencies work closely together to combat money laundering, arms trafficking, and human trafficking.

To manage the many challenges facing the world today—food shortages from Russia's invasion of Ukraine, rising temperatures and extreme weather events, continuing recovery from the pandemic, and China's growing influence around the world, we need capable Ambassadors in place to share democratic values and secure America's place in the world. Time and time again, Elizabeth Bagley has proven herself to be the kind of leader who is up for the task.

Don't take it just from me. Elizabeth has been awarded the Secretary of State's Distinguished Honor Award, given for those who have made significant contributions to the Agency's mission, and the Portuguese Government has conferred upon her the Grand Cross of Prince Henry the Navigator, Portugal's highest civilian honor.

I am proud to say I will be voting for Elizabeth Bagley as Ambassador to Brazil, and I urge my colleagues to do the same.

#### NOMINATION DISCHARGED AND PLACED ON THE CALENDAR

Mr. WARNER. So, Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of PN1691, Elizabeth Frawley Bagley, to be Ambassador of the United States to Brazil, and that the nomination be placed on the calendar.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

Mr. WARNER. Thank you, Mr. President.

I yield the floor and, again, hope that we can move on this ambassadorship and many others to make sure that our country is well represented not only in South America but around the world going forward.

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

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

Mr. CARDIN. I ask unanimous consent that the vote scheduled at 12 noon start immediately.

#### 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. 1149, Frances Kay Behm, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Charles E. Schumer, Richard J. Durbin, Alex Padilla, Tina Smith, Michael F. Bennet, Christopher A. Coons, Margaret Wood Hassan, Catherine Cortez Masto, Tim Kaine, Ben Ray Lujan, Tammy Duckworth, Kirsten E. Gillibrand, Angus S. King, Jr., Patty Murray, Robert P. Casey, Jr., Martin Heinrich, Jack Reed.

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 Frances Kay Behm, of Michigan, to be United States District Judge for the Eastern District of Michigan, 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 Illinois (Ms. DUCKWORTH), the Senator from Colorado (Mr. HICKENLOOPER), the Senator from Arizona (Mr. KELLY), the Senator from Connecticut (Mr. MURPHY), the Senator from Vermont (Mr. SANDERS), and the Senator from Georgia (Mr. WARNOCK) are necessarily absent.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Alaska (Ms. MURKOWSKI).

The yeas and nays resulted—yeas 47, nays 46, as follows:

[Rollcall Vote No. 374 Ex.]

#### YEAS—47

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

#### NAYS—46

Barrasso	Boozman	Capito
Blackburn	Braun	Cassidy
Blunt	Burr	Cornyn

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

#### NOT VOTING—7

Duckworth	Murkowski	Warnock
Hickenlooper	Murphy	
Kelly	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 47, the nays are 46.

The motion is agreed to.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:53 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. OSSOFF).

#### EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I ask unanimous consent that we proceed with the vote.

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

#### 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. 1184, Kelley Brisbon Hodge, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Charles E. Schumer, Richard J. Durbin, Chris Van Hollen, Richard Blumenthal, Tim Kaine, Michael F. Bennet, Gary C. Peters, Benjamin L. Cardin, Margaret Wood Hassan, Jack Reed, Alex Padilla, Robert P. Casey, Jr., Christopher A. Coons, Debbie Stabenow, Tammy Baldwin, Elizabeth Warren, Cory A. Booker, Mark R. Warner.

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 Kelley Brisbon Hodge, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania, 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.